B ~~& hm~~

App. F. IX-4

1931. 32.
(Law)

File No. 159-31
Serial Nos. 1- 14

Previous References
Law 24-31-1-9
O.F 27-29-3-5
" 51-28-9-14
" 46-28-1-8.
" 66-28

Later References
Law 111-33 1-2 & 3-11
" 139-34 1-8

110

General and Revenue Secretariat.

Serial Nos. Fourteen

Part B for May '33

SUBJECT.

Compromise in O. S. No-28 of 30-31 on the file of the Dist Judge Blore Dn (Govt. Vs The Essenflour Products Co. Ltd.)

---

(14) To
The Dir. of S. O. F.
Govt. Arte
Compy

No. P 2536-36 of 3.11.32
Accepts the recommendation of the Dir. re. the modification of the security deed furnished by Mr. Sanatha Kumar.

Mr. Abdul Aziz
12/5/33

u 883 D 1

Muz. 3]

Routine Notes.

To be used only for notes, requisitions, etc., not intended for permanent record.]

WD. 0562—GPB-2500—25-7-22.

367/47

OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

In reply please refer to
No. 607

Tel. Address:—
"JURIST," Bangalore.

Bangalore 11th February 1932.

Law 159-31-1

From

The Government Advocate
in Mysore, Bangalore.

To

The Chief Secretary to the Govt.,
of H. H. the Maharaja of Mysore,
Bangalore.

Law
CHIEF SECRETARY
FEB. 32

Sir,

Re: O. S. No. 28 of 1930-31 on the file of the District Judge, Bangalore Dn. (The Government of Mysore, vs. The Essenflour Products Co., Ltd).

Inke Today

NM 12/2

1) In continuation of this office letter No. 576 dated the 1st February 1932, I have the honor to state that when the above case came up for hearing before the District Judge on the 9th instant, the 5th Defendant, the eldest son of Mr. Vardhamaniah represented to the Court that his brother-in-law Mr. Lakshmipathaiya had approached Government for a compromise and that he was willing to have the matter settled out of court. The case, therefore stands adjourned to the 29th instant for his written statement or compromise. Kindly let me know if the 5th Defendant has approached Government in this matter and if so, how it stands at present.

I have the honor to be,
Sir,
Your most obedient servant,
N. Nagesvara Iyer
Government Advocate.

N.B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

The connected file | Sub?
in connection with [illegible] W. St. filed
by Mr. Srinivasachar It may be
awaited

TS 15/2

2) The Dev Secy and the

2

Muz. 3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

WD. 0562—GPB-2500—25-7-22.

Director of S.O.7 may perhaps be consulted as to whether the 5th Deft has approached Govt for a compromise in this case.

Chief Secy) MP 16/2

3) Urgent, please

Yes. RG 18/2

Dev Secy) MP 18/2

4) I am not aware of any such application. Dr. S.O.7. may be asked about this urgently.

19/2

Dr. S.O.7)

Done

d routine notes be written on small slips,
notes must be copied or slips pasted on
s form.

Tels.—"INDUSCOM"

DEPARTMENT OF INDUSTRIES AND COMMERCE.

Mr. N. RAMA RAO, B.A., B.L.,
Director.

OFFICE OF THE DIRECTOR.

D 31 [illegible]

D. O. No. Confdl

[illegible] 19.2.32

Bangalore, dated the 19th Feb 1932

5) Dear Mr Ramachandra Rao,

With refce to yr Immediate & Confdl D.O. no. 4174 of this date, I wish to say —

The late Mr Vardhamaniah's brother-in-law has not approached me on the subject of a compromise — nor has Mr Vardhamaniah's son.

The first ad [illegible] this after-noon what he seems also to have reported to Govt, but we have as yet nothing definite to go upon. So soon as I am approached on the subject I shall report the fact and seek instructions.

Yours sincerely

N Rama Rao

D.O. No 4174

೯.೬.೩೨

Dear Sir,

Subject:- Re: O.S.No.28 of 30-31 on the file of the District Judge, Bangalore Division (The Government of Mysore VS The Essenflour Products Company, Limited.)

- - - - - -

The Government Advocate reports that the 5th defendant in the case,-the eldest son of Mr.Vardhamaniah-represented to the Court that his brother-in-law had approached Government for a compromise and that he is willing to have the matter settled out of court, and that the case therefore stands adjourned to the 29th instant. Kindly let me know if the 5th defendant or his brother-in-law has approached you in the matter and if so how the matter stands at present.

The favour of an immediate reply is requested.

Yours sincerely,

Rama Rao, Esq., B.A., B.L.,
Director of Sandal Oil Factory in Mysore.

App. F. III—2]

General and Revenue Secretariat | File No. | of 193 .

Serial No.

Subd for perusal with refce. to the G. A.'s letter to the Ch. Secy,

No. 20/2/32 KG

Mor
22/2/32

Dy. Secy)

b) Please inform Govt. advocate accordingly and submit file for perusal of minutes.

MS
22/2

1 day

[illegible]
22/2/32

App subd

KG 8.3.32

Issue [illegible]
[illegible]
22/2/32

No D4299 d 26.2.32

...ING SECTION
2 FEB 193
...40...

NOTE—Contn. Sheet

6

Offer of a compromise by the heirs of late Mr

File No. Vardhamanaiya of 193

General and Revenue
Secretariat

Submitted for perusal, after issue.

KB
K.B. 29.2.32

M.R.
1.3.32

(Drafted)

7) A petition from the late Mr Vardhamanaiah's successor Mr Santhi Kumar addressed to the First Member agreeing to a compromise so far as he & his brothers are concerned is submitted for perusal.

8) Copies of this enc., if approved, be sent to the Govt. Advocate & the Director S.O.P. for opinion.

9) The petitioner does not say for what amount he is willing to compromise. He leaves the sum to be fixed by Govt but says that in the present condition of the family's finances a nominal sum may be fixed. For orders.

Mcs
1.3.32

Dcv (4)

3677/p 31

324

[App. F. III—2

General and Revenue
Secretariat

File No. of 193

Serial No.

10) 1) action may be taken as proposed at A.

2) as regards the amount for which compromise may be considered, this may be taken up after replies are recd from the law & ~~Deptal~~ officers concerned.

2/3

3/3/32

Today

11) Dft forwarding copies of the memorial to the G.A. & the Dir. of S. O. & for opinion.

4/3.

Dft. put up for apprl.

4/3

12) For perusal before issue.

(2nd member)

4/3.

13) 4/3/32 for issue

4/3

4/3

Issued No. P. 5349/50 dated 8.3.32

4. Letter No: 713 dated 11th March 1932 fm the Govt Advocate stating that in his opinion a settlement out of court of the claim

9/3

7 -

NOTE—Contn. Sheet.

to

The Asst. Secy. Law Sectt. desired that this may be transferred to the Govt. Pr: as the question of Civil suit is being dealt with there. If appd, this will be transferred to that Pr: for fav. of further action. 3.3.32.

Yes
3/3/32

OFFICE OF THE
MEMBER OF COUNCIL
4 MAR 1932
No. 7288

TYPING SECTION
7. MAR. 1932
GENL. & REV. SECTT.

Sec A.

9/3

WD 70—GBPM—60,000—13-8-31

8 Offer of a compromise in the [illegible] [illegible] [illegible]
by the [illegible] [illegible] [illegible]

File No. [illegible] of 193 .

General and Revenue
Secretariat

against the heirs of late Mr [illegible] is desirable and that if any definite terms are proposed, they may be considered by Govt.

(K.A.) Submitted for perusal. The reply from the Director of S.O.T. has to be awaited.

(Chief Secy)

14/3.

14/3

GENERAL SECRETARY.
14 [illegible]
No.

4224 of 31
pd

9

REPLY

(*To be written on this margin.*)

OFFICE OF THE
FIRST MEMBER OF COUNCIL.

NOTE.

Dated 29th March 1932.

M.166

OFFICE OF THE
[illegible]
29 MAR 1932
No. 5799

15) Some days back
Gnanam[illegible]
the late [illegible]
presented a petn
requesting that the
[illegible] with the [illegible]
defendants in the
O.S. suit and the
Court with be ac
from them in
[illegible]
[illegible]
[illegible]
29/3/32

Dev Secy
with comp[illegible]

16) Ite.
Pleasure V. [illegible]
29/3

17) Today
29/3/32

18) M.T.S.O.
Put up the
file
29.3

19) The connected file put up. Reply from the Dir. S.O.F. is awaited.
T.S.O. 29/3. Dev. Secy)
29/3.

20) For favour of perusal
(Sr. members)
29/3

21) Seen - Thanks
30/3/32
31/3

22) Issue a R^r to Dir of S.O.F
30/3.

Issue
5756 of 31/3/32 31/3
[illegible] 1/4

R^r sent
30/3

Offer of a Compromise in the Sandal oil Civil Suit by the Son of late Mr. Vardhamanaiya

10

General and Revenue Secretariat

File No. of 193

[App. F. III—2

Serial No. 5

From

The Director. S.O.F.

No. 5298 dated 22-4-32 Stating that in his opinion the memorialist's prayer deserves favourable Consideration, and that the Sum which may be accepted in full settlement is a matter which Can be taken up after Govt have decided on the question of principle, and the amount Can be fixed after Some bargaining and an investigation into the present Capacity of the Estate.

Reference para 7-10 Supra.

23) Govt. Advocate also states that a settlement out of Court is desirable, and that if any definite proposals are made, they may be Considered by Govt. The amount for which the Compromise is to be effected is to be determined. The file relating to S.O. Civil Suit is likewise linked up for ready reference.

Subd. for perusal and orders.

ISD 26/4

xxii) Mr. Sanath Kumaraia prays in para 7 of his petition (Flag Q) that Govt may fix a nominal sum to be paid in full settlement of the claims against late Mr. Vardhamanaia's

Note—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31.

Offer of a Compromise in the S.O. Civil Suit
by the Son of late Mr. Vardhamaniya

File No. of 193 .

General and Revenue
Secretariat

estate. The Director in the P.U.D. states that the question of amount can be taken up only after Govt decide about the principle of entering into a compromise with these defendants in this case.

vi) On this point, the Govt Advocate is of opinion that a settlement out of Court of the claim against these defts is desirable and the Director is of the same view. There is however only one possible difficulty that may perhaps arise in the case and that is that the other defendants may contend that they are also discharged from liability on the ground of their being joint tortfeasors, when a release granted to one will, in the eye of law, operate as a discharge of the others. Though there seem to be sufficient materials in this case to hold that the directors are not joint tortfeasors but are being sued in respect of independent wrongs, it appears desirable to get the definite views of the Govt Advocate on this aspect of the matter, before any further action is taken. A

Gen Secy)
Dev Secy)

27/4

GENERAL SECRETARIAT
27 APR

vii) A. Govt. advocate may be consulted again as this is an important matter.

27/4

27/4

25/4

27/4

4883

1✓

General and Revenue
Secretariat

File No. of 193

[App. F. III—2

Serial No.

U.O. No. P 108/31 dated 28th April 1932

2) Forwarded with compliments to the Government Advocate for favour of opinion as to whether a compromise of our claims against late Mr. Vardhamania's estate will not in any way prejudice the case against the other dependants in the case.

B.O.

[illegible] Rao
for Gen. Secy to Govt

28/4/32

No. 884/31-32 of 29-4-32

Returned with compliments.

U.O. No. 122/3. of 20.5.32

3) I do not think that the case against the other defendants will in any way be prejudiced by a compromise of the claim against the sons of Mr. Vardhamania. They are not joint tortfeasors in the strict sense of the term, and the difference between the claim against them and that against the other defendants is noticed by the Director of Sandalwood Oil Factory in his letter to Government dated the 22nd April 1932.

4) Even as against joint tortfeasors a compromise with some of them does not operate as a release of the claim against the others if the rights against the latter are reserved. 31 All. 173 is an authority in point. This principle of law has also been very well discussed in a recent ruling of the Calcutta High Court reported in I.L.R. 55 Cal. 666 at pp. 670 and 671 where the English decisions are also considered. (cf. also Ratanlal's Law of Torts pp. 75 and 79, 6th Edition). As the proposed compromise of the claim against Mr. Vardhamanian's sons is not intended to be in satisfaction of the

GENERAL SECRETARY
20 MAY 1932
No. Law

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

of the whole right of action in the case, the plea of 'accord and satisfaction' will not I think be available to the other defendants.

Government Advocate.
20-5-1932.

No. 2577
1932

30) The Director may now be informed that Govt have no objection to have their claims against late Varthamania's heirs settled out of court. As regards the amount for which the compromise may be effected, the Director has to furnish his views, after consulting the parties concerned.

Dep Secy)

23/5

(1st member)

23/5

31) The Dir may be informed as above

23/5/32

24.5.32

25/5/32

Dft is put up accordingly

TSD 25/5

Fair draft (typed)

25/5

Typing Section

TSD 26/5

TYPING SECTION
26 MAY 1932
GENL. & REV. SECT.

Offer of a Compromise in the S.O. Civil Suit by the Son of late Mr. Varthamanaya.

P.

16

General and Revenue Secretariat

File No. of 193

[App. F. III—2

Serial No.

Filed
6 JULY 1932
No. 156

of their claims against the late Mr. Varshamaniah's estate, a sum of Rs 20,000/-. This amount is proposed to be met first by the sale of the jewels now in the hands of Messrs Coutts & Co, which are estimated to value atleast Rs 14,000/-. The party agrees to pay in cash the balance of Rs 6,000/- or such smaller sum to make up Rs 20,000/- in case the jewels fetch more than Rs 14,000/-. The Director observes that the proposal does not contemplate ~~[illegible] is to be paid~~ payment in cash of anything more than Rs 6,000/-, even in case the jewels are sold for less than their estimated value of Rs 14,000/-.

37) In view of the very straitened circumstances in which the family of late Mr. Vardhaniah is now placed, the Director recommends that the offer might be accepted with the modification that the party has to pay in cash Rs 6000/- ~~in~~ whatever may the actual value of the jewels.

38) Both the Govt Advocate & the P.P., Mysore are said to have taken part in the negotiations. The Director's proposals, in the circumstances, appear to be quite fair & reasonable and his recommendation may ~~perhaps~~ be accepted. A settlement out of court of the claim of Govt in this suit, even though it be against only one of the defendants, is certainly a moral victory.

Submitted for orders.

Gen Secy)
3(9)) 1st Member thro
Rev. Secy

R.S. 6/7/32 — BMP 6/7

6/7 ms 6/7

40) This may be submitted for the information of the Dewan.

41) I think it is desirable to settle the case on the lines suggested by the Director of Industries & Commerce in consultation with the Government Advocate.

42) There are, however, some points to be considered before dealing with the case finally:

1. We have asked the Trade Commissioner to have the jewels now in the custody of Messrs Coutts & Coy. transferred from the joint names of the late Mr. Mavlankar and Mr. Rice to that of the Assistant to the Trade Commissioner. We must get the custody of the jewels before we can accept them in part payment of the amount offered by Mr. Sanathkumar, the son of the late Mr. Vardhamanaiya.

2. Please note from the previous records - if information on the point is available in them - what is the estimated value of these jewels. It is desirable to have the present valuation of these articles made with a view to see what can be realised by selling them.

3. I do not know if we can take it as established that the jewels belonged to the late Mr. Vardhamanaiya and that his son can make them over to Government in part satisfaction of the amount agreed to be paid by him. Legal opinion on this point is necessary.

4. The progress of the civil suit against the Essenfleur Products and its Directors has been held up because of the offer of the son of the late Mr. Vardhamanaiya to settle out of court the claim of Government against his father's estate. It is, therefore, necessary that the

question

	Serial No.	
DEWAN'S OFFICE 163 7 JUL. 1932		question of the acceptance or otherwise of the offer of the petitioner should be settled promptly so that the court may proceed with the case against the other defendents.

43) As pointed out in the Director's letter dated 22nd April 1932 and in the Government Advocate's note dated 20th May 1932, it is advisable to settle out of court the claim of Government against the estate of the late Mr. Vardhamanaiya.

44) The exact liability of the estate cannot be assessed as it is not known to what extent it benefite from the frauds committed by the late Mr. Vardhamanaiy or to the commission of which he was privy. Only an arbitrary settlement can be made, taking into considera tion the present financial position of the family of the late Mr. Vardhamaniya and what it can afford to pay in the circumstances in which it is now placed.

45) How the whole case in regard to the misappropriated amount now stands may be noted by furnishing particulars under the following heads:-

1. Total amount misappropriated.
2. Total amount so far recovered from all sources.
3. Expected realisations from liquidation proceedings in London.

46) For perusal in the first instance 7/7/32

Dewan. 7/7/32

47) 7-7-32 Urgent 7.7

8/7/32

NOTE—Contn. Sheet.

S.D.
Please put up today.
i) S.O. 7 [illegible] file
ii) Mica & Jewels file
[illegible] 8/7

P.T.O.

೨೫) The letter to the Trade Commissioner instructing him to get the Jewels transferred to the name of the Assistant to the Trade Commissioner was -- issued on 25th June 1932 (Saturday). It may perhaps take a week more for it to reach London. Information as to the result of the action taken in London in pursuance of this letter can therefore be obtained by cable only after the 20th instant.

೨೬) As regards the value of the Jewels, Mr. Rice in his letter of 11th April 1929 puts it at £2500 and Mr. M.A. Srinivasan in his letter of 28th -- February 1929 says that the pearl necklace is worth between £.1,500/- to £.2,500/-. Mr. Mavlankar -- however in his statement before the Director of Sandal Oil Factory, made in July 1929, values the necklaces at £.1000/- and says that the value of the entire Jewelery will be somewhere between £. 1,200/- to £.1,500/-. No accurate valuation --- appears to have been made till now and the Director has therefore to be requested to have the present value of the Jewels ascertained through cable.

'B'

'A'

'D'

As regards the rights of Vardhamaniah's heirs to the Jewels, Mr. Mavlankar's statement is the best evidence now available to show that they belonged to late Mr. Vardhamania. Mr. Madhava Rao when he was in England seems to have examined the --- correspondence relating to this and has said in his

'D'

Serial No.

'C' his letter of 9th May 1929 "that the Jewels undoubtedly belonged to Mr. Vardhamania". Since it ~~is with~~ is Mr. Vardhamania's son that is offering the Jewels now to Government in part satisfaction of the debt, the Director can call upon him to establis his title to deal with the Jewels, before Government can accept his offer.

51) As regards the information required in para 45 supra, the plaint filed in the S.O. civil case shows that with respect to the European Transactions, the total amount misappropriated is £.61,542-10-9. Out of this a sum of £.15,858-16-6 has been shown as the amount recovered by cash or by adjustments. The sui ~~sxx~~ claim is therefore only for £.45,683-14-3 (i.e., Rs.6,06,994-11-3). Similarly with respect to the American transactions, schedule B to the plaint mentions $ 155,986.90 as the misappropriated amount an $ 72,106.73 as amount recovered since 1st January 1929 till date of suit. The claim is therefore only for $ 83,880.17 (i.e., Rs.2,30,670-7-0).

'V'

52) There is no information available here as to what has been recovered since the date of the suit and as regards the expected realisations from liquidation proceedings in London. The Director of Sandal Oil Factory has to be requested to furnish the necessary particulars required.

P.T.O.

V1

53) The File if approved ~~with~~ will now be forwarded un-officially to the Government Advocate for an expression of his views in the matter and then it will be sent to the Director for further action being taken ~~on~~ on the lines indicated above.

K.M.R.

1 A

54) Submitted with reference to the First Member's minute of 7th July (Supra).

Gen Secy)

M.P. 11/7/32

GENERAL SECRETARY. 11 JULY 1932 No.

55) A. Please do this in the first instance

RB 11/7/32

O. No. P 128 of 31 dated 11/7/32

56) Forwarded with compliments to the Govt Advocate for favour of advice.

B.O.
B. N. Narayana Rao
for Gen Secy to Govt
11.7.32

GOVT. ADVOCATE'S OFFICE BANGALORE

No. 47/32-33
D/12.7.32

No. 3/32-33
D/12.7.32

OFFICE OF THE 1 1932 No. 520

57) I agree. The claim made in the suit with respect to the European transactions is Rs.6,09,122-15-1.

58) I also remember to have noticed during the conduct of the criminal case some letters which show that the jewels belonged to Mr. Vardhamaniah. Anyhow, Mr. Vardhamniah's sons may be called upon to give an undertaking that they would establish their right to the jewels in question.

59) The matter may be expedited as, on account of the proposed compromise, the case is held up in the District Judge's Court.

GENERAL SECRETARY. 13 JULY No.

Government Advocate.
12-7-1932

H.

60) For perusal before being refd to the D. of I. H. for further action

1st Member

RB 13/7/32

M.P. 13/7

R

Seen

RB 14/7

General and Revenue
Secretariat

File No. of 193

[App. F. III—2

Serial No.

U.O. No. P 131 of 31 dated 14.7.32

12 Forwarded ~~to~~ with compliments to the Director of Sandal oil factory for favour of taking further action as indicated in paras 48, 49 and 50 (supra) and for furnishing information required in para 45.

B.O.
Mysore Rao
for Gen Secy to Govt

14/7/32

547 4 letters in original

63 With compliments

Re para 45, supra —

(1) Total amt ~~misappropriated~~ included in suit:
European £ 45 684-2-11
American $ 83 880.17

(2) Amts since recovered
European £ 90-13-5

(3) No information at present. T.C. written. Information will be furnished when received.

Para 49. I have ~~cabled~~ to the T.C. on the 15th July to get the jewels valued. His reply will be put up when received

Para 50. – The best evidence is Mavlankar statement of which a copy initialled by Mavlankar is in the file. I have put up certain other papers viz. a letter from Mr Vardhamanmal to Sitar Char, & copies of cables exchanged between the two which leave no doubt that the Pearl Necklace ~~are~~ them belong to Mr Vardhamaniah's estate. I submit besides a communication to me from Mr Vardhamaniah's son Mr M V Sanathkumar wherein he expresses his willingness to execute an indemnity bond in favour of Govt in terms to be prescribed by us. The indemnity will be secured, I take it, on the late Mr Vardhamaniah's estate.

I think that it wd be perfectly safe to accept the offer of the jewels plus Rs 6000 unconditionally with an indemnity bond as above.

I understand that the case stands adjourned to the 3rd Aug., and that it wd be difficult to get further time

30 7 32

K Raman Rao
Dir of I&C

1st Member

RR
30/7/32

The recommendation of the Director may, I think, be now finally dealt with. The offer of the eldest son of the late Mr. Vardhamaniah made on his own behalf and on behalf of his minor brothers that a sum of Rs 20,000 might be accepted from him in satisfaction of any claims of Government against his father's estate

and

Serial No.

~~736~~

and that the case against him be withdrawn may, I think, be accepted in the circumstances explained by the Director. Against the sum of Rs 20,000/- offerred, Rs 6,000/- is proposed to be paid in cash and for the balance, a pearl necklace and the other articles in the custody of Messrs Coutts & Coy. will be made over to us. These articles are expected to fetch not less than Rs 14,000/--. The petitioner requests that should there be any excess over Rs 14,000/-, it might be paid to him. The Director does not support this prayer as the petitioner is not prepared to make good the shortage, if any, in the sale proceeds to realise ~~amounting~~ ~~to~~ Rs 14,000/- and suggests that the offer may be accepted unconditionally to close this part of the case once for all. As regards the possibility of any others ~~of~~ establishing ~~his~~ their claim to these articles, it is proposed to take an indeminity bonds from the petitioner. This indemnity should be supported by tangible and adequate security.

67 May be submitted to the Dewan.

Mnle
1/8/32

DEWAN'S OFFICE.
1-734
1-AUG 1932

Dewan)

MP
1/8/32

OFFICE OF THE
SECOND MEMBER OF COUNCIL
2 AUG. 1932
No. 1021

68) MP
1-8-32

L. I. dr.

~~[illegible]~~

R 2/8/32

69) For perusal before further action
R 2/8/32

S. Law
Pl. See where this came back from
IInd member — R 2/8/32 — 70) [illegible]
2/8/32 IInd member.

NOTE—Contn. Sheet.

71) A draft G.O is put up for approval – the case may perhaps fall under cl(xi)(b) of the Schedule of council cases in which case, it would be a council matter –

Gen Secy)

BNP
2/8/32

GENERAL SECRETARY
2 AUG 1932
No.

72) Order may issue & a DFN [illegible]

RB
3/8/32

6 AUG. 1932
No. 1225

73) The Draft [illegible] submitted has been app'd by the Hon Member & may be issued

RB
6/8/32

[illegible]

6/8

74) [illegible]
6.8.32

Issue today

BNP
6/8

R. Dis: 234.

Fin: Secy: has not seen.

Draft [illegible].

8/8

For perusal before issue

Fin Secy)

8/8

9/8/32

Issued on 9/8

Communicate

113/p 26

General and Revenue Secretariat. | File No. | of 193

Serial No.

To

8 1) The Director of S.O.7
2) The Govt Advocate
3) The Comptroller to Govt. thro' Fin: Sect

Copy to Dev Dr

Sanctioning the recommendation of the Director of S.O.7 regarding the compromise of Govt claims in O.S. 28 of 30-31, so far as Sons of late Vanshaniraina are concerned.

For perusal and return

Dev Secy)
9-8-32

76)

Seen. Thanks
10-8-32

DEWAN'S OFFICE
1058
13 AUG 1932

77) A Draft final note is put up as directed in para 72 supra.

First Member)
12/8

13/8/32

78) The Director's letter regarding the value of the jewels is put up in a sealed cover & is submitted for perusal.

1st Member)
12/8

79) D.S.N. Please
13/8/32

OFFICE OF THE
12 AUG 1932
No. 1038

80) A D.S.N is put up.

Gen Secy)
13/8

13/8/32

GENERAL SECRETARY
13 AUG 1932

Diwan

81) 13/8/32

13

NOTE—Contn. Sheet.
No.

FIRST
27 FEB. 2
No. M.129

H. Secy (with compts) 27/2/32

Sfd to Dev: for where the question is being dealt with
W 22/2

Law 109-31-2

FINANCIAL BRANCH
3974
1 MAR 1932
GENL. & REV. SECTN.

324

To

Rajakaryaprasakta Dewan Bahadur
M. N. Krishna Rao Esquire B. A.,
First Member of Council,
Bangalore.

The humble Memorial of M. V. Sanathkumaraiya, son of late Mr. M. L. Vardhamanaiya, Dodpet, Mysore.

Most Respectfully Sheweth:-

1. That the late M.L.Vardhaman was the grandson of the late Motikhane Veerappa who w the supplying contractor to the Palace of His Highnes the Maharaja Sri Krishnaraja Wodeyar Bahadur III. T members of the family of Veerappa and his brothe Thi were renowned for their wealth and business capacity half-a-century and they were the premier merchants of Jain community in the State.

2. That after the family beca divided, the share allotted to Veerappa and his son Lakshmipathaiya, father of Vardhamanaiya was, durin latter's infancy, wisely managed by Sri Sivadevamma revered mother of Vardhamanaiya, and when the latte attained majority he was the happy possessor of an worth more than 10 lacs of rupees.

3. That by tradition, trainin and temparament the late Vardhamanaiya was loyal and patriotic, enterprising and generous. If he were

Submitted to His Highness.

82) *I submit herewith a Final Note by the* First *Member of Council on the subject of* the civil suit against the Essenfleur Products Ltd.,

for His Highness' gracious information.

Mirza M. Ismail
Dewan.
13-8-32

Final Note by the First Member of Council.

Subject:—

Civil suit against the Essenfleur Products, Limited.

◆

J ೮೩) These papers relate to the memorial submitted by Mr. M. V. Sanathkumariah, the eldest son of the late Mr. M. L. Vardhamaniah, praying that, in view of the straitened condition of his family, Government may agree to an amicable settlement of the claim against him and his brothers in the original suit for recovery of the sale proceeds of sandal oil appropriated by the Essenfleur Products, W Limited. Mr. Sanathkumariah offers on behalf of himself and his minor brothers, to pay Rs 20,000/- in full satisfaction of the claim of Government against them, and prays that further proceedings against them in the sandal oil civil suit may be withdrawn. Against the sum of Rs 20,000/- offered, Rs 6,000/- is proposed to be paid in cash and for the balance, a ~~certain~~ pearl necklace and some other articles in the custody of Messrs Coutts & Co., at London will be made over to Government. These articles are expected to fetch not less than Rs 14,000/-. Mr. Sanathkumariah requests that should there be any excess over Rs 14,000/-, it might be paid to him. B The Director of Industries & Commerce does not support this prayer, as the petitioner is not prepared to make good the shortage, if any, in the sale proceeds to realise Rs 14,000/- and suggests that the offer may be accepted unconditionally to close this part of the case once for all.

G ೮೪) The Government Advocate who has been consulted in the matter, states that in his opinion, a settlement out of court of the claim against the sons of Mr. Vardhamaniah is desirable.

೮೫) The claim of Government in the sandal oil suit is for over Rs 8 lakhs, but the sons of the late Mr. Vardhamaniah are only some

of

of the defendants in the case and it is not possible at this stage exactly to determine the extent to which the late Mr. Vardhamaniah's estate can be held liable in the matter. Considering the ability of the estate to pay on the one hand, and on the other, the delays and difficulties incidental to the successful prosecution of the suit, it was considered advisable to accept the offer of Mr. Sanathkumariah and orders have been issued with the consent of the Dewan and the Second Member to the Director of Sandal Oil Factory to take further action in the matter.

K

paras 68 & 70
of the Notes

8b) I beg to report the above facts for His Highness' gracious information.

M. N. Krishna Rao
MEMBER OF COUNCIL.

Bangalore,
13th August 1932.

30

Record of Cases submitted for the Orders of His Highness the Maharaja.

No 93.
14.8.32.

Subject.

Civil suit against the Essenfleur Products, Limited.

10/

17)

Order.

KRW
15/8/32

C. Secy

86) MJ
18-8-32

MU
18/8/32

General and Revenue
Secretariat.

Civil Suit against the Essenfleur Products, Ltd.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

1162/18.8

NOTE.—Contn. sheet

Circulated to Members of Council for perusal of His Highness orders before/after issue of orders. (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

....Department.

89) FIRST MEMBER OF COUNCIL. 19.8.32

SECOND MEMBER OF COUNCIL.

90) Genl. Secy with Compliments.

19/8/32

RB 19/8

19/8

32

[App. F. III—2

General and Revenue Secretariat | File No. | of 193

1055
8-32

TELEGRAMS: "SANDAL," BANGALORE

MR. N. RAMA RAO, B.A., B.L.
DIRECTOR OF SANDALWOOD OIL FACTORY IN MYSORE

Bangalore, dated the 18th August 1932.

CONFIDENTIAL.

19/8

D. O. No. 891

GENERAL SECRETARY
19 AUG. 1932
No. Law

My dear Ranga Rao,

I have to refer you to Government Order No. L.845-47/Law 159-31-8 dated 8th August 1932 on the memorial dated 26th February 1932, presented by Mr. M.V. Sanath Kumaraiya, son of late Mr. Vardhamania. I shall be ~~glad~~ obliged if you will kindly send me a form of Indemnity Bond to enable me to do the needful.

Yours sincerely,

N. Rama Rao

91) The Govt Advocate will be requested to send up a draft form.

Gen Secy

19/8

R. Ranga Rao Esq., B.A., B.L.,
General Secretary to Government.

TYPING SECTION
24. AUG. 1932
GENL. & REV. SECTT.

19/8/32

92) Dft to G.A. today

20/8

93) Dft. Put up.

20/8

Issued no. L. 1181 dated 22.8.32

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

1303

OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

In reply please refer to
No. ~~137~~ 1809

Tel. Address :—
"JURIST," Bangalore.

Bangalore 31st August 1932-19-

GENERAL SECRETARY
31 AUG. 1932
Law

From

R. Nagesvara Iyer, Esq., B.A., B.L.,
Government Advocate in Mysore,
Bangalore.

~~To~~

The General Secretary to the Govt.
of H. H. the Maharaja of Mysore,
Bangalore.

Sir,

With reference to your letter No. P. 1181 dated the 24th instant, I have the honor to forward herewith, as desired, the draft of an Indemnity Bond to be executed by the sons of the late Mr. M. L. Vardhamaniah, in connection with the compromise to be effected with them in O.S. No. 28/30-31 on the file of the District Judge, Bangalore Division.

I have the honor to b
Sir,
Your most obedient ser

Government Adv

Today

This may be sent at once
to the Director

MP
31/8

Dft. [illegible]

TSD
31/8.

Issue today H
MLC 31/8

Issued no. P. 1344 dated 31..

General and Revenue Secretariat | File No. of 193 | App F. III—2

Serial No.

DEWAN'S OFFICE
1 SEP. 1932

Letter No 1142 dated 1st Septr 1932 from the Director forwarding an applⁿ by Mr M. V. Sanath Kumar praying that instead of an immediate cash payt of Rs 6000/- as ordered in G.O. No B. 845-47/Law 159-31-8 dated 8-8-32, a mortgage of his two houses in Mysore worth Rs 45,000/- may be accepted for the present.

2) Under the G.O. of 8th August (Flag K) Mr Sanath Kumar had to pay Rs 6000/- in cash before a settlement could be reported to Court. Now he prays that in lieu of immediate cash payment, a mortgage of his two houses in Mysore may be accepted for the present. The houses are said to be unencumbered and worth about Rs 45,000/-.

3) The Director recommends that the prayer may be granted & orders communicated to him, ~~[illegible]~~ as the case is posted to 5th Septr 1932.

~~In the~~ Some period has ~~[illegible]~~ to be fixed within which the p[illegible] has to ~~[illegible]~~ discharge the mortgage. It may be perhaps fixed at one year.

A

Submitted for orders.

First Member) BMP 1/9

4) I think the request of the petitioner may be granted subject to three ~~two~~ conditions

The two houses offered as security should be quite free from encumbrance

2 The cash payment of Rs 6000 should be made within one year as suggested at A

& 3. A safe estimate of the value of the two houses should not be less than Rs 20,000

Gen. Secy is engaged in a Select Comte: meeting
BMP
1/9

NOTE—Contn. Sheet.

May be subd to Dewan

Mirza
1/9/32

WD 70—GB M—60,000—13-8-31

File No. of 193

General and Revenue
Secretariat

57) A draft G.O is put up for approval
Gen Secy)
1/9

10 This is not very promising. However the Dir's proposal might app'd

A

1st Month

2/9/32

A Please see overleaf -
Draft app'd

2/9/32

Issue today

2/9

To,
The Director S.O.F.
" Govt. Ad.
" Comptroller to Govt.

G.O. No. P. 1377-79 Law 159-31-10 dated 2nd Sept 32 granting the prayer of Mr. Sanath Kumaraja offering as security for both bonds two houses situate in Mysore city, subject to several conditions.

B

150
9/9/32
10

Serial No.

26 SEPT. 1932
No. 2031

From,

The Trade Commr.

dated 9th Sept 1932 forwarding for necessary action copy of letter of authority to be signed by the sons of late Mr. Vardhamania

102) Dft forwarding for necessary action & return

ISD
26/9

Fair dft
BNP
26.9

103) Typed dft subd for appl.

ISD
26/9

104) The Trade Comr has sent with the P.U.D, a letter of authority as drafted by the Solicitors in London, for due execn by Mr. Vardhamania's son. A draft to the Director is put-up for taking necessary action in consultation with the G.A. For perusal before issue.

First Member)

BNP
26.9

27.9.32

R
26/9/32

Issue
BNP
30/9

Issued no. 1559 d 4.10.32

TYPING SECTION
3 OCT 1932
GENL. & REV. SECTT.

Note—Contn. Sheet

ISD
6/10

From,

The Director S.O.I.

No. 1880 dated 29th Oct 1932 stating that the two houses offered as security are free from encumbrances and the D.C's valuation of the properties falls short of the security prescribed by Govt by Rs 4000/- and that Mr Sanath Kumar represents that the valuation made by the D.C. is too low and the security is intended more for the money bond of Rs 6000/- etc and that in the circumstances pointed out recommending that the properties now offered might be accepted as sufficient security both for the money bond of Rs 6000/- and for the indemnity bond in respect of the jewels.

Subd. for orders with refce. to paras 95 to 97 supra.

TSD
1/11

Under the G.O of 8th August 1932 Mr Sanath Kumar had to pay Rs 6000/- in cash immediately on the report of the settlement to Court. This was modified in G.O of 2nd Septr 1932 by allowing the party one year's time to pay the money on the security of the two houses offered. One of the conditions laid down in the said G.O is that a safe estimate of the value of the two houses should

'A'

'B'

7

selfishly inclined his rich inheritance was more than ample for his family needs and personal aggrandisement. But the industrial and commercial advancement of his country was to him almost a fixed idea; and it was for the attainment of that end or the realisation at least of that ideal, he kept at his countrymen's disposal all his wealth, influence and business capacity. When the industrial and commercial awakening of Mysore was ushered in by Sir M. Visweswaraiya, it was the late M.L. Vardhamanaiya that stood forth with all his resources as the premier Mysorean to lead his countrymen along the path of success so patriotically indicated by that great statesman. The Cotton Mill Scheme was about to be captured by foreigners and it was Vardhamaniya's innate sense of his country's honour that induced him to preserve it for Mysore. The minor mineral wealth of Mysore and the adjoing British Districts was nearly monopolised by him, and there was not an indigenous trade or industry with which he was not associated during the last decade of his short-lived existence.

4. That Vardhamanaiya's public life is not to be judged by what he failed to achieve but what he honestly strove to gain for his countrymen. The terrible chaos that followed the termination of the Great War involved the trade of the world, and Vardhamanaiya's infant projects shared the common fate. There was slump everywhere and he stood to lose in all his undertakings. His immense private wealth became scattered and he became entangled in the meshes of financial commitments. His credit suffered and his 'friends' let him down. For nearly three years before his sad demise your Memorialist's father suffered from a malignant and

incurable intestinal disease and it was the decree of Providence that he should suffer a variety of physical and financial troubles before he departed life in August 1926.

5. That from a domestic point of view the premature death of your Memorialist's father was the most unkindest cut of all. He left a large family to bemoan his loss, and it is a family divided against itself. Your Petitioner and his two younger brothers were rendered helpless orphans suddenly thrown at the mercy of a host of creditors. A rich man's grave serves as fertile soil for the crop of litigation. The law suits and family dissensions that began in 1927 are still lingering and it might take a dozen years more for things to settle down. A few heavy decrees obtained by outside creditors have just been amicably settled through the mediation and good offices of a gentleman to whom the family is ever so grateful. The resources of the family are hardly sufficient to discharge the liabilities, and it is feared that after paying the debts there would be little or nothing left for the family.

6. That the object of your Memorialist in narrating the above account of the state of family is to secure, if possible, an amicable settlement of the suit filed by Government against the Memorialist and his younger brothers along with the Directors of the Essenfleur Products Ltd. Your Memorialist is not in a position to discuss the merits of the claim as against the estate of the late M. L. Vardhamanaiya nor is it his desire to enter into any such legal controversy. He is anxious for an honourable settlement out of court and to avoid, if possible, a protracted and complicated litigation with

the Government.

7. That your Memorialist has been advised to approach the Government with a concrete proposal rather than request the Government to concert measures and think out proposals. The magnitude of the claim makes your humble Petitioner shudder at the thought of offering any sum which the family can afford to pay in full settlement. However, your Memorialist is not anxious for his personal comforts or family aggrandisement. All just debts must be paid, whatever be the consequences to the family, and above all, the debt due to the King is entitled to precedence. The resources of the family are well known to Government and your Memorialist loaths to conceal any part of his wealth to defraud the State. He would humbly appeal to the sympathy and magnanimity of the benign Government and pray that they may graciously be pleased to consider the present sorry state of the family both financially and otherwise, and fix a nominal sum to be paid to Government in full settlement of the claim so far as your humble Memorialist and his minor brothers are concerned, for which your humble Memorialist and his brothers as also all members of Mr.Vardhamanaiya's family will remain ever so highly grateful.

Mysore
26th February 1932

M. V. Sanathkumar

Appendix F G—1]

SUBJECT ....

Section Law

File No. [illegible]

Serial No. 21.

Diary No. of letter replied to ....

No D 4299 d 26/2/32

To

The Govt. Advocate.

General and Revenue Secretariat

( )

the 193 .

Sir,

With reference to your letter no. 607 d 4.2.32 to the Ch. Secy requesting to be informed if the sixth Defendant in O.S. No 28/30-31 on the file of the Dt. Judge, Bangalore – the eldest son of Mr. Vardhamanaiah – has approached Govt. for a compromise I am directed to reply in the negative. Should there be any such offer, the same will be intimated to you. ~~in due course~~.

I have &c

22.2.32

for Secy.

Date of issue 26/2/32

Signed by Mr. M.S.R.

List of enclosures ....

Copied by ....

22/2

Examined by ....

In reply please refer to
No. 712

Tel. Address:—
"JURIST," Bangalore.

Law

OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

Bangalore 10th March 1932. 19

Law 159-31-4

CONFIDENTIAL.

ELOPMENT SECRETARI
11 MAR. 1932

From

A. R. Nagesvara Iyer, Esq., B.A., B.L.
Government Advocate in Mysore,
Bangalore.

To

B. T. Kesavaiengar, Esq., B.A.,
Secretary to Government,
Development Department,
Bangalore.

12/3

Sir,

With reference to your letter No. P. 5349-50/Law dated the 8th instant, re: memorial submitted to Government by M.V.Sanatkumaraiya, son of late Mr. M. L. Vardhamanaiya, for settlement out of court of the suit, O.S. No. 28/1930-31 on the file of the District Judge, Bangalore. I have the honor to state that in my opinion, a settlement out of court of the claim against the applicants is desirable, and that if any definite terms are proposed, they may be considered by Government.

I have the honor to be,
Sir,
Your most obedient servant,
A. R. Nagesvara Iyer
Government Advocate.

4883
P 831

Tel. Address :—"Sandal Bangalore"

SANDALWOOD OIL FACTORY

Bangalore, 22nd April 1932.

Law 159-31-5

No. 5498

FROM

N. RAMA RAO ESQ., B.A., B.L.,
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
DIRECTOR, SANDALWOOD OIL FACTORY IN MYSORE,
BANGALORE.

GENERAL SECRETARY
25 APR
No. Law 1114

TO

The General Secretary to the Government of Mysore,
Bangalore.

Imt
1114
25/4

Si

With reference to your letter No.P. 5756 dated the 31st March 1932, calling for my opinion on the memorial for compromise submitted by Mr. M.V. Sanathkumariah son of late Mr. Vardhamaniah, I have the honour to state that in my opinion the memorialists' prayer deserves favourable consideration.

I do not think that a settlement out of Court of the case against defendants 5, 6 and 7 will in any way prejudice the case of Government against the remaining defendants. For one thing, defendants 5, 6 and 7 are minors who are morally free from all complicity in the conduct which gave rise to the suit; for another, the recovery of anything from the estate of their father is dependent on proof that their father's fraudulent conduct benefited the estate - please see the averment in para 20 of the plaint and also the relevant part of the prayer for judgment. I therefore think, that the claim against them is on an altogether different footing from that against the others, and admits of compromise without any implication prejudicing the rest of the case.. The sum which may be a _ted in full settlement is a matter which can be taken up after Government have decided on the question of principle. The amount can only be fixed after some bargaining, and an investigation into the present capacity of the estate.

I have the honour to be,

Sir,

Your most obedient servant,

DIRECTOR.

Confidential

No P 6841 D/ 28/5/32
10

Law 159-31-6

The Director of Sandal Oil Factory
in Mysore.

Sir,

With reference to your letter No.5498 dated 22nd April 1932 furnishing your opinion on the memorial ~~of~~ for compromise submitted by Mr.M.V.Sanathakumaraiya, son of late Mr.Vardhamanaiya, I am directed to state that Government have no objection to have a settlement out of court of their claims against late Mr.Vardhamanaiya's heirs (in O.S.28 of 30-31 on the file of the District Court Bangalore). As regards the amount for which the proposed compromise may be effected, I am to request you to be so good as to furnish your views in the matter after consulting the parties concerned, if necessary.

I have etc.,

26/5

Genl. Secy. to Govt.

Memo no. P 6842 D/ 28/5/32 TSD 26/5

Copy to the Govt. Advocate.

28/5/32

113
P

11

Tel. Address :—"Sandal Bangalore"

SANDALWOOD OIL FACTORY

Bangalore, 4th July 1932.

Confidential.

Law Sec

Law 159-31-7.

Urgent

No. 101 / application in original

FROM N. RAMA RAO ESQ., B.A., B.L.,
~~XKXXMXNGXXXAXHXXRXXXSXHXKXXESXXXBXAXXBXX~~
DIRECTOR, SANDALWOOD OIL FACTORY IN MYSORE,
BANGALORE.

Rg. 5/7/32

Note
Refer me
5/7

To
The General Secretary to the Government of Mysore,
Bangalore.

Sir,

1) With reference to your letter No. p.6841 dated 28th May 1932, conveying the approval of Government to a settlement out of Court of their claim against the heirs of the late Mr. Vardhamaniya in O.S. 28 of 30-31 on the file of the District Court, Bangalore, and requesting me to furnish my views as to the amount which may be accepted for a compromise, I have the honour to state that I went into the matter carefully, availing myself fully of the assistance of the Government Advocate and the Public Prosecutor, Mysore.

2) In coming to an opinion, I have given careful consideration to the ability of the deceased's estate to pay on the one hand, and on the other, to the delays and difficulties incidental to the successful prosecution of our suit and the amount of compensation we are likely to realise in the usual course of law.

173 3) The estate has dwindled so considerably, and is so tied up with debts, charges and liabilities, that its present realisable value is problematical; and it is only in case of Mr. Vardhamaniah's heirs being able to come to a favourable, even concessional, arrangement with creditors, that they might be able to save a part of their patrimony. How far they will be able to do this, it is not now possible to say. They have not much command of ready money. If there is delay in settlement, such as would result if the issue hung on the results of

protracted litigation, I am afraid that the estate would be so broken up by the time we get a decree, that our chances of execution would be somewhat precarious. I am, therefore, of opinion that it would be advantageous to accept a reasonable offer at once, and secure as much money or money's worth, as we can.

೪) I met Mr. Sanathkumarayya, the eldest and only major son of the late Mr. Vardhamaniah and Mr. A Lakshmipatiah his friend, at Mysore, on the 11th of June, in the presence of the Government Advocate and the Public Prosecutor; and after a long and close discussion obtained from Mr. Sanathkumarayya and Mr. Lakshmipatiah the offer embodied in the following note I made at the time:-

"The jewels now in deposit with Messrs. Coutts & Co., to be transferred to Government, and a sum of R^s 6,000/- to be paid in addition.

If the realisations from the disposal of the jewels should exceed R^s 14,000/-, the surplus over R^s 14,000/- to be credited to the defendants.

Mr. Lakshmipathaiya and Mr. Sanathkumarayya promised to give a written application to-morrow."

Messrs. Nageswara Aiyar and K. Ramaswamy were present throughout the discussion.

೫) In pursuance of this, Mr. Sanathkumarayya on behalf of himself and of his minor younger brother has sent me the application submitted herewith, offering "R^s 20,000/- only in full settlement of the Government's entire claim against us. The said sum will be made up of the value of our jewels now in deposit with Messrs. Coutts & Co., which are provisionally valued at R^s 14,000/- and a sum of R^s 6,000/- to be paid by us in addition". 47

೬) They further request that if the realisation from the sale of the jewels should exceed R^s 14,000/-, they should be given credit for this excess in reduction of the balance of R^s 6,000/. They do not, however, say how the case should be met if the realisations fall short of R^s 14,000/-.

7) I think that Government might accept the jewels plus R^s 6000/- unconditionally.

The jewels consist of:-

1. Two pearl necklaces of a single strand each.
2. A few gold Ramtanka coins.
3. A jewelled glass wine-cup; and
4. A single strand of gold beads of different designs, generally known as a Jomalai.

and are probably worth £ 800/- to £1,000/-.

8) I am of opinion that the offer might be accepted with the modification suggested above and the claim compromised on these terms.

I have the honour to be,

Sir,

Your most obedient servant,

DIRECTOR.

d 28-6-32

Repr

To

The Director of Industries & Commerce,
Government of Mysore,
Bangalore.

Sir,

In continuation of my humble memorial to Government appealing for an amicable settlement out of Court of the suit claim against me and my minor younger brothers in O. S. No. 28 of 30 - 31 on the file of the District Judge of Bangalore, and with reference to the personal discussions Mr. M. C. Lakshmipataiya and myself had with you at Mysore on the 11th and 12th June 1932, I beg respectfully to offer to Government on my own behalf and on behalf of my minor younger brothers to pay Rupees Twenty thousand only, in full settlement sand satisfaction of the Government's entire claim against us. The said sum of Rupees Twenty Thousand will be made up of the value of our jewels now in deposit with Messrs Coutts & Co., 44 Strand, London which are provisionally valued at a minimum of Rupees Fourteen thousand, and a sum of Rupees Six thousand to be paid by us in addition.

Send

Govt have called for Director's views in regard to this settlement.

MB
28/6.

I beg respectfully to request that Government may be pleased to take over the said jewels for the minimum valuation of Rs 14,000/- and to credit to us the surplus over Rs 14,000/- that may be realised from their disposal to be adjusted towards the balance of Rs 6,000/- due from us. The sum that may ultimately be due from us after the disposal of

MCL

the above said jewels will be paid to Government within a reasonable time thereafter.

In the circumstances submitted in detail in my memorial and in my several personal interviews, and particularly for the reason that the family is now unfortunately under a very great trial and unable to bear even the burden as offered above, I beg humbly to approach the benign Government of His Highness the Maharaja with the above mentioned proposals and pray that they may be pleased to accept them and release me and my minor brothers from all liabilities in connection with the Government's claim against us, for which I will remain ever so highly grateful.

I beg to remain,
Sir,
Your most obedient servant,
K. V. Sanathkumar

MYSORE,
26th June 1932.

K 3

16

TELEGRAMS
"EKDUM," LONDON.
TELEPHONE ·
HOLBORN 2499.

CODES ·
"A.B.C. 6TH EDITION."
"BENTLEY'S."

ESSENFLOUR PRODUCTS LTD.,

MYSORE (SOUTH INDIA).

DISTILLERS OF ESSENTIAL OILS,
MANUFACTURERS OF AROMATIC CHEMICALS AND
PERFUMERY PRODUCTS.

FOREIGN CORRESPONDENTS:
K. B. MAVLANKAR,
"PERFUME HOUSE."
6, 7 & 8, BEAUCHAMP STREET,
HOLBORN, LONDON, E.C.1.
COX ASPDEN & FLETCHER,
26, CORTLAND STREET,
NEW YORK, U.S.A

BS/LC.

LONDON, 1st May, 1924.
E.C.1.

M.L. Vardhamaniah, Esq.,
c/o Messrs. Essenflour Products Ltd.,
Mysore.

My dear Sowcar,

I took the jewelled crystal cup to the Albert Museum and showed it to Mr. Stanley Clarke, Keeper in charge of the Indian Section. He took me up and showed me the large variety of crystal cups and other antiquities that have been exhibited in the Museum. He is of the opinion that this cup is of the early Moghel period and a fairly good piece of work. It appears that the Officers in charge of the Museum are not permitted to give any valuations or written reports, but during the course of conversation he said that if the cup had been in the possessic of a reliable Bond Street firm, they would want about £150 for the cup, although that price would be a bit too high. In the hands of weak holders it might probably be offered for £50. I have taken one or two addresses from him and shall show the cup and get their valuations, but in the meantime I have proposed exhibiting it in the Mysore Court with a label attached to it saying that the cup is of the old Moghel period and of high class crystal, price £250. It will be properly insured against all risks. I shall give Mr. Sastry discretion to let go the cup if he can get about £150 for it, and trust you will consider this satisfactory.

Yours sincerely,

TELEGRAMS
"EKDUM." LONDON.
TELEPHONE -
HOLBORN 2499.

CODES -
"A.B.C. 6TH EDITION
"BENTLEY'S."

~~K3~~

18

46

ESSENFLOUR PRODUCTS LTD.,
MYSORE (SOUTH INDIA).
DISTILLERS OF ESSENTIAL OILS,
MANUFACTURERS OF AROMATIC CHEMICALS AND
PERFUMERY PRODUCTS.

FOREIGN CORRESPONDENTS:
K. B. MAVLANKAR,
"PERFUME HOUSE."
6, 7 & 8, BEAUCHAMP STREET,
HOLBORN, LONDON, E.C.1.
COX ASPDEN & FLETCHER,
26, CORTLAND STREET,
NEW YORK, U.S.A

BS/LC.

LONDON, 28th April, 1924.
E.C.1.

M.L. Vardhamaniah, Esq.,
c/o Messrs. Essenflour Products Ltd.,
Mysore.

* ಚಾಮರ

My dear Sowcar,

While going through the Exhibition the other day I found in the Indian Court a few ivory *charmers exhibited for sale, and the price listed was £25. each. These charmers are new and show better workmanship than the one you have given me. As you are also aware, your charmer is very old and has lost a few of the threads; it is also a creamy colour. While discussing the subject of price of your charmer, during its display in the Mysore Court, we thought of putting the price at £100. but now it is impossible to list it at anything more than £20, especially when a brand new one is being offered at £25. close by.

In regard to the gold coins, everything depends upon my proving that your coins are really of Sri Rama's ~~[illegible]~~ time, otherwise the goods you have given me are only worth their weight in gold. I have, therefore, approached the Department of Coins and Medals, British Museum, and Mr. George F. Hill, Keeper, has written to me that he would be pleased to supply the necessary information in regard to the age of these coins. I am going to him with Mr. Sastry to-morrow, and shall write to you further on the subject. If he finds that your coins are genuine Rama Varahas, they will be worth anything up to £10,000, but if they are fakes, I have told you what they are worth, and in that case I shall bring them back with me.

In regard to your other curio articles, I shall write to you further letters.

Yours sincerely,

P.S. GOLD COINS. I saw Mr. Hill of the British Museum and got the coins examined. Of the three coins the square gold coin is of Akbar's times and is genuine. Mr. Hill told me that these coins could be bought from the Curio Dealers in Bond Street for a sum of about £3. to £4. each coin. The other two circular coins are what are known as Ramatanka Varahas and are of the time of the Vijayanagar Kingdom and their date will be about the 16th or 17th Century. These coins too are available in the London market in Bond Street, and the price would be between £4. and £5. only. I asked Mr. Hill if there were any gold coins of Sri Rama's time, but he said that there are none; he however showed me some very old silver coins, about 2,000 years old. These are rectangular and oblong pieces of silver and do not look anything like the coins you have given me. He told me that the Ramatanka Varahas that are generally sold as genuine do not date more than a few hundred years, and that the coins which I submitted for his examination were not ~~later~~ older than 300 years. Mr. Hill is an authority in gold coins and medals and I would, therefore, accept his decision in the matter.

CRYSTAL CUP. This also I took to the British Museum and showed it to a number of authorities who told me that it belongs to the Moghel period and that the cup was really nice; but to get a correct and authoritative opinion on this I have been directed to go to Mr. Stanley Clarke of the Indian Section of the Victorian Albert Museum, South Kensington. After showing the cup to him and obtaining his opinion I shall interview some of the Bond Street people and see what could be done

K 2

45 21

M. L. VARDHAMANIAH

DODDAPETTA,
MYSORE.

22nd May 1924.

My dear Sitaramachar,

I am in receipt of your three letters one of the 28th April and the other two of the 1st May regarding my jewels.

IVORY CHAMARA. I note your remarks and it is better to bring back this with you without selling it for £20/- Since you have stated that a new one with better workmanship could be had at £.25/-. I do not think there is any chance of our getting 1[illegible] or [illegible]2 percent of what I anticipated fully believing Mr. Siddoji Rao

GOLD COINS. Since you have taken the opinion of Mr. George F. Hill, I have got nothing to write on this subject. You can bring back all the coins with you.

CRYSTAL CUP. I note your remarks on this and the arrangements you have made with Mr. Sastry to sell the cup at £150/- are all right. You can even tell him that if he gets £.125/- or £130/- he can sell it.

DIAMOND. You have stated that it is not possible to get more than £.800/- at present. If you and Mr. Mavlankar still think that it is not possible to get £.1.300/- or or £.1.250/- exclusive of commission and other charges, you can bring it back with you. If you decide to bring it back it is better that you convert it into the shape of a jewel in order to save heavy duty. I was told that a duty of 15% will be charged on diamonds, but if they are brought in the shape of jewels no duty will be assessed. It is better to have it as a Trink~~l~~et attached to your watch chain. I know you are not wearing a separate watch with a gold chain except your wrist watch, but as the diamond has to be worn at the time of checking, and for this you will have to buy a gold chain.

PEARL NECKLACE. In regard to this I note the valuation of Mr. Mavlankar and ~~if~~ that at the present moment it is not possible to get better offers. I have received your cable as per copy enclosed and since you say that the chances of getting better prices are greater in Septr. you ~~will~~ leave them with Mr. Mavlankar to do what best he can. There is no hurry to sell the jewels at a lower price and I perfectly agree with the arrangements you have made with Mr. Mavlankar to dispose them of in Paris.

PEARL BUTTON. You have stated that the Eastern Bank, Ltd. did not deliver the pearl button to you as they had no instructions from the Mysore Bank. The button belongs to me and I cannot understand why the Eastern Bank has ~~to lie~~ made a false statement. On the other hand, they have written to the Mysore Bank that you have not taken delivery of the stud.

I enclose herewith a copy of that letter for your information. The Pearl Stud belongs to me and I cannot understand why you should suspect its ownership. as you knew full well that I ~~was~~ am the owner of it. I have written to the Bank of Mysore to send a cable to the Eastern Bank to hand over the stud to you.

In Bombay a pearl cleaner told me that if this button is opened we will get a good pearl weighing 30 to 40 chows and that if I accepted to pay him half of the realisation he would cut the stuff. I did not like the idea. If Mr. Mavlankar thinks that by cutting the pearl we would get a pearl weighing 30 to 40 chows. please ask him to get it done at the hands of the best experts.

Yours sincerely,

B. Sitaramachar, Esq., B.E.

MR.

K.2

Copy of D.L.T. messages exchanged between Mr. B. Sitaramachar, London and Mr. M.L. Vardhamaniah, Mysore.

=============

LONDON, 14th May 1924.

Your pearls no reasonable offer obtainable in London. Sending goods to Paris being suitable for that market. Present estimate value pounds 2000. Market bad at present. Better prospects in September November. Shall I sell now according to my discretion or you prefer to wait until September? Telegraph. Sitaram Mavlankar.

MYSORE, 17th May 1924.

Your cable pearls. Leave everything your discretion. If better prices securable September November can wait. Sell diamond somewhere about £.1500. What about fancy articles. Leave you do your best. Vardmaniah.

========

MR.

Copy of letter dated 28th April from the Eastern Bank, Ltd., London, to the Manager, The Bank of Mysore, Ltd., Bangalore.

===========

Re. 3 Pearl Necklaces in custody of
Mr. B. Warwick.

Referring to your letter of the 24th July 1923 and to our letter of the 21st December last regarding the above mentioned pearls, we now beg to advise you that on the 28th April, Mr. B. Sitaramachar called upon us and took delivery of the above mentioned three pearl necklaces against his receipt, duplicate of which we enclose herewith.

We shall be glad if you will kindly acknowledge receipt of this communication and at the same time please note that we still retain in safe custody for your account the pearl stud which accompanied the above mentioned necklaces, but which Mr. Sitaramachar has not taken delivery of. We shall be glad to receive your instructions regarding this pearl stud at your earliest convenience.

=======

MR.

296
25.7.

To

The Director of Industries & Commerce,
Government of Mysore,
Bangalore.

Sir,

With reference to your letter No·248 dated the 16th July 1932 asking me to produce all the papers and documents establishing our ownership of the jewels in question, I beg to submit, confirming Mr. M. C. Lakshmipataiya's representation to you in person at Mysore on the 18th instant, that the relative papers are not now in my possesion, having been seized by the Police in connection with the criminal case against Mr. B. Sitaramachar. They are now in the custody of Government and I expect they may be found among the files of the Essenfleur and other companies that are now in your office or among those that were producedin the High Court in connection with the above mentioned criminal case appeal. The personal files of my father, the late Mr. M.L. Vardhamaniah, were kept in the offices of the above companies for the sake of convenience, as he was attending to his personal work as well as that of the companies together in the same office. When the Police seized the papers of the Companies, some of these personal files have also got mixed up with the companies' files and have been taken by them. The file which I refer to consists of letters of correspondence between my father and Mr. K. B.

25/7

Mavlankar about these jewels sent to the latter for effecting sale in London and Paris. Mr.M.C.Lakshmipataiya was dealing with these papers and has personal knowledge of them. A perusal of this correspondence will convince you that the jewellery under reference was held in trust for us by Mr. K.B. Mavlankar and is our property.

Further, when Mr. Mavlankar had come here as a witness in the said criminal case, he told Mr.Lakshmipataiya personally, on enquiry about the jewels, that they had been deposited with Messrs Coutts & Co., 440 Strand. London in the joint names of Mr. H. D. Rice and himself at the instance of the Mysore Government, and that he had also given a statement to Government about these jewels having been sent to him for sale by Mr. Vardhamaniah and his having held them in trust for the minor sons of Mr. Vardhamaniah after the latter's death.? The statement of Mr. Mavlankar to Government may also be kindly perused.

The jewellery consist of the following:-

1) Three pearl necklaces
2) One Gold Necklace
3) One pearl button
4) One jewelled cup and
5) one chamara

all valued~~at~~by Mr. Mavlankar at £ 1500 to £ 2,000.

I beg to submit that I trust you will be satisfied about our ownership of these jewels if you will kindly peruse the above mentioned papers and records, and that if, for any reason, you should feel not satisfied or have any doubt in the matter, I am prepared duly to execute an indemnity bond in your favour, as per directions that you may be pleased to give me.

In these circumstances I beg respectfully to request that the proposals submitted by me in my application dated the 26th June 1932 may kindly be accepted and all needful further done in the matter at a very early date, for which I will remain ever so highly grateful.

I beg to remain,
Sir,
Your most obedient servant,
M. V. Sanatkumar

Mysore,
22nd July 1932.

SO & Office
25-7-32

Confidential

Proceedings of the Government of His
Highness the Maharaja of Mysore.

Read--

(1) Govt order No: D 3342-31/ S.O. 727-29-5 dated 18th Sept 1930, sanctioning the institution of a civil suit against the sons of late Mr Vardhamania & others, for recovery of Sandal oil moneys ~~defalcations~~ due to Govt.

(2) The Memorial dated 26th February 1932 presented by Mr. M.V.Sanath Kumaraiya, son of late Mr. Vardhamania, praying Government to consider the present sorry state of the family both financially and otherwise and fix a nominal sum to be paid to Government in full settlement of the claim against Mr. Vardhamania's estate in the Sandal Oil Civil Suit --O.S.28 of 30-31 on the file of the District Judge, Bangalore.

(3) Petition in continuation, dated 20th June 1932, presented to the Director of Industries and Commerce by Mr. Sanath Kumaria offering to Government, on his own behalf and on behalf of his minor younger brothers, to pay Rupees Twenty Thousand only, in full settlement and sati faction of the Government's entire claim against them in the Sandal Oil Civil Suit the said sum being made up of the jewels of the late Mr. Vardhamania now in deposit with Messrs. Coutts & Co., London, valued at a minimum of Rs. Fourteen thousand and a sum of Rs. six thousand to be paid in cash as soon as the proposed settlement is agreed upon.

(4) Letter No.101 dated 4th July 1932 from the Director of Sandal Oil Factory, submitting for consideration of Government, the above petition and re-

recommending that Government may accept the jewels and Rs.6000 unconditionally.

ORDER No. 845-47/Law 15th/31-8

~~In the circumstances explained by the Director, Government are pleased to accept the offer of~~ Mr. Sanathkumariah the eldest son of the late Mr. Vardhamaniah, ~~made~~ ~~pays~~ offers on his own behalf and on behalf ~~of~~ his minor brothers to pay a sum of Rs.20,000 in full satisfaction of the claims of Government against ~~his father's estate~~ them & prays that the procs. against them may be dropped. ~~Against the sum of Rs.20,000 offered,~~ The amount is proposed to be paid partly in cash & partly in jewels, the cash payment being Rs. 6000. ~~Rs.6,000 is to be paid in cash immediately and for the balance,~~ The jewels namely, certain pearl necklaces and the other articles which are now in the custody of Messrs. Coutts and Company, London ~~have to~~ are proposed to be made over to Government ~~for~~ estimated to be of the value of Rs. 14,000. ~~These articles are expected to fetch not less than Rs.14,000.~~ The petitioner, Mr. Sanathkumariah requests that should there be any excess over Rs.14,000, it might be paid back to him. The Director does ~~not support this prayer as the petitioner~~ is not prepared to make good the shortage, if any, in the sale proceeds of the jewels to realise Rs.14,000. Government agree with the Director and are not prepared to consider this request of the petitioner.

As regards the possibility of any others establishing their claim to these articles, the petitioner offers to

5407
Who are dfts in O.S. 28 of 30-31 ~~of 30-31~~ on the file of the Dt Judge, Bangalore

~~Who supports the request~~
~~The Director who~~ is agreeable to accept ~~the payment of Rs 20000~~ Rs 20000 in full settlement of the claims against the petr - but does not support his ~~[illegible]~~ request for a refund of any excess that may be realised by the sale of the jewels. The Govt accept the Dr's recommendation

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execute an indemnity bond in favour of Government. The Director of Sandal Oil Factories is requested to see that ~~the~~ an indemnity bond is created by the [illegible] supported by tangible and adequate security and that it is in proper form according to law.

to safeguard Govt against third party claims in respect of the [illegible]

As soon as Mr. Sanathkumariah, on behalf of himself and his minor brothers, executes the necessary documents in favour of Government in respect of the [illegible] and pay the sum of Rs.6,000 as agreed above, the Director of S.O.F. is requested to instruct the Government Advocate to report the settlement to the District Court Bangalore and withdraw the case, Viz., O.S.28 of 30-31 only so far as it is against the sons of the late Mr.M.L.Vardhamania.

3/8/32

General Secretary to
Government.

2/8

To

The Director of S.O. Factories.
The Government Advocate in Mysore.
The Comptroller to Government
thro: the Financial Sectt.

Copy to Development Branch.

CONFIDENTIAL.

Proceedings of the Government of His Highness the Maharaja of Mysore.

P845-47/
Law 159-31-8.

Read--

(1) Government Order No.D.3342-3/ S.O.F.27-29-5 dated 18th September 1930, sanctioning the institution of a Civil Suit against the sons of late Mr. Vardhamania and others, for recovery of sandal oil moneys due to Government.

(2) The Memorial dated 26th February 1932 presented by Mr. M.V.Sanath Kumaraiya, son of late Mr. Vardhamania, praying Government to consider the present sorry state of the family both financially and otherwise and fix a nominal sum to be paid to Government in full settlement of the claim against Mr.Vardhamania's estate in the Sandal Oil Civil Suit--O.S.28 of 30-31 on the file of the District Judge, Bangalore.

(3) Petition in continuation, dated 26th June 1932, presented to the Director of Industries and Commerce by Mr. Sanath Kumaria offering to Government, on his own behalf and on behalf of his minor younger brothers, to pay Rupees Twenty Thousand only, in full settlement and satisfaction of the Government's entire claim against them in the Sandal Oil Civil Suit, the said sum being made up of the jewels of the late Mr. Vardhamania now in deposit with Messrs. Coutts & Co., London, valued at a minimum of Rs. Fourteen thousand and a sum of Rs. six thousand to be paid in cash as soon as the proposed settlement is agreed upon.

(4) Letter No.101 dated 4th July 1932 from the Director of Sandal Oil Factory, submitting for consideration of Government, the above petition and recommending that Government may accept the jewels and Rs.6000 unconditionally.

ORDER No. 7845-47/Law 159-31-8

Mr. Sanathkumariah the eldest son of the late Mr. Vardhamaniah offers on his own behalf and on behalf of his minor brothers who are defendants 5 to 7 in O.S.28 of 30-31 on the file of the District Judge, Bangalore, to pay a sum of Rs.20,000, in full satisfaction of the claims of Government against them and prays that the proceedings against them may be dropped. The amount is proposed to be paid partly in cash and partly in jewels, the cash payment being Rs.6000. The jewels namely certain pearl necklaces and the other articles which are now in the custody of Messrs. Coutts and Company, London are proposed to be made over to Government and are estimated to be of the value of Rs.14,000. The petitioner Mr. Sanathkumariah requests that should there be any excess over Rs.14,000, it might be paid back to him. The Director is agreeable to accept Rs.6,000 and the said transfer of jewels in full settlement of the claim against the petitioner but does not support his request for a refund of any excess money realised by the sale of the jewels. ~~The~~ Government

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accept the Director's recommendation. The Director of Sandal Oil Factories is requested to see that an indemnity bond to safeguard Government against third party claims in respect of the jewels is executed by the petitioner and supported by tangible and adequate security and that it is in proper form according to law.

As soon as Mr. Sanathkumariah, on behalf of himself and his minor brothers executes the necessary documents in favour of Government in respect of the jewels and pay the sum of Rs.6,000 as agreed to above, the Director of S.O.F. is requested to instruct the Government Advocate to report the settlement to the District Court, Bangalore and withdraw the case, Viz., O.S.28 of 30-31 only so far as it is against the sons of the late Mr. M.L.Vardhamania.

6/8/1

General Secretary to
Government.

6/8

To

The Director of S.O.F.
The Government Advocate in Mysore
The Comptroller to Government
thro: the Financial Sectt.

Copy to Development Branch.

35

No P 1181/Genl(1) 24th August 193

The

The Government Advocate,
Bangalore.

I am directed to forward herewith a copy of the D.O.No.891 dated 18th August 1932 received from the Director of Sandal Oil Factory in Mysore regarding a form of indemnity bond required in connection with the compromise effected on the memorial presented by Mr.M.V.Sanath-kumaraiya, son of late Mr.Vardhamaniah, and to request that a draft form of the same may kindly be sent early.

I have the honor to be,
Sir,
Your most obedient servant

for General Secretary to Government

Appendix F G—1]

SUBJECT ....

Diary No. of letter replied to ....

General and Revenue Secretariat

( )

the *193* .

Date of issue 24/8/32

Signed by Mr N R G Rao

List of enclosures ....

Copied by [illegible] 22/8

Examined by ....

Section

File No.

Serial No.

No. P 1181/Gen/

To The Govt. Advocate

Sir,

I am directed to forward herewith a copy of D.O. no. 891 dated Aug 193 received from the Director of S.O.7. re: a form of indemnity bond required in connection with the compromise effected on the memorial presented by Mr. M. Sanath Kumaraja son of late Mr Vardhamanaraja, and to request that a draft form of the same may kindly be sent early.

I have etc

for Gen Secy

BD 22/8

Memo No P 1182 dt 24.8.32

Copy to the Dir of S.O.7. for information.

Tel. Address :—"Sandal Bangalore"

GOVERNMENT OF MYSORE

No. 985

SANDALWOOD OIL FACTORY

Bangalore, 22nd August 1932.

1160/P 832

37

FINANCIAL COUNCIL
25 AUG. 1932
No. 1383

DEWAN'S OFFICE
1353
27 AUG. 1932

GEN. & REV. SECRETARIAT
D. 714
24 AUG. 1932
DEVELOPMENT BRANCH.

DEVELOPMENT SECRETARIAT
23 AUG. 1932

FROM

N. RAMA RAO ESQ., B.A., B.L.,
DIRECTOR, SANDALWOOD OIL FACTORY IN MYSORE,
BANGALORE.

To

The Secretary to the Government of Mysore,
Development Department, Bangalore.

Sir,

In continuation of my letter No. 629 dated 4th August 1932, (with Genl. Sec.) regarding the jewels which were deposited at Coutts & Co., in the joint names of Mr. Rice and the late Mr. K. Mavlankar. I have the honour to enclose herewith for the information of Government copy of a letter dated 5th August 1932 received from the Trade Commissioner by Air Mail. After the compromise has been regularly executed, the jewels and trinkets might be dealt with as recommended by the Trade Commissioner.

I have the honour to be,
Sir,
Your most obedient servant,

N Rama Rao

DIRECTOR.

For perusal

I M. & Dewan
(thro Gen. Sec.)

Ds
24.8.32

RR
24/8/32

26 8 32

27-8-32

Put this in the file re: to the compromise

29.8

38

Copy of letter dated 5th August 1932 received from the Trade Commissioner for Mysore in London by Air Mail.

====

K.B. Mavlankar, decd. Jewels
deposited at Coutts & Co.

In reply to your cable of the 15th July, I write to say that I have had a valuation made of the jewels which were deposited at Coutts in the joint names of Mr. Rice and the late Mr. K.B. Mavlankar, and cabled to you on the 2nd inst, as per copy enclosed.

I enclose copy of a letter received from Messrs. Johnson, Walker & Tolhurst, from which you will see that the Pearls alone would be valued at £ 1740 during normal times. I am informed that the Pearl market at present is very depressed and consequently none of the Licensed Valuers are prepared to put a definite price on the Pearls if sold during present conditions.

The other items contained in the packet of jewels are one heavy gold Lingayet Necklance with charms, three gold coins, one crystal Trinket Bowl studded with rubies and 94 ivory inlaid cards. These latter items are all of sentimental value and might fetch a high price in India. The cards, I fear, are of no value here, and the gold ornaments are only worth their actual weight in gold which may not weigh more than a seer in all.

I suggest, therefore, for the approval of Government, that the Pearl necklaces be retained here and left in deposit in the Bank, and that the other items be sent to you for sale in India, after Mrs. Mavlankar's consent to hold them in the sole name of Mr. Rice has been obtained, and the jewels are delivered to us by Messrs. Coutts. I have addressed Mrs. Mavlankar, and shall also see her if necessary and endeavour to overcome her objections.

I shall write to you on the matter by next mail.

===============

Copy of cable despatched 2nd August 1932 from MYSOF TO SANDAL. BANGALORE.

Yours fifteenth expert values jewels 1740 pounds normal times stop considers unwise putting any value now writing.

=========

Copy of letter from Johnson, Walker & Tolhurst Ltd., London, dated 29th July, 1932, to Trade Commissioner for Mysore in London.

With reference to the jewellery left with us for valuation, we beg to inform you that in our opinion, the three pearl necklaces would have cost us, five years ago, about £ 1740.0.0d. i.e., the smallest one £80.0.0d. the next £700.0.0. and the last £960.0.0. and we trust this information will be of service to you.

With regard to the gold items, the cards and the crystal bowl and enamel buttons, we are afraid that none of these are of any value in this country, beyond the value of the gold, but we would like to suggest that they may be of considerable value in India, where we should advise your offering them for sale.

We are keeping the articles here until we receive your kind instructions, and in the meantime they are fully insured.

=========

60

No. 1844
Gen 1.99-3

31st August 1932.

The

The Director of Sandalwood Oil Factory in Mysore.
Bangalore.

With reference to your D.O. letter No.891, dated 18th August 1932, I am directed to forward herewith for necessary action a draft form of an indemnity bond to be executed in connection with the compromise of the claim against late Mr. Vardhamanaya's sons in O.S.28/30-31 on the file of the District Court, Bangalore, (Sandal Oil Civil Suit).

I have the honour to be,
Sir,
Your most obedient servant,

for General Secretary to Government.
T&D

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Appendix F G—1]

SUBJECT ....

Immediate

Section

File No.

Serial No.

Diary No. of letter replied to ....

No. P. 1344/En. 1. PP. 1-3)

To The Dirr of S. I. I.

1932

General and Revenue Secretariat

( )

the 193

Date of issue 31. 8. 32

Signed by Mr. N. R. J. Rao

~~Dear~~ Sir, With reference to your D.O. letter No. 891, dated 18th August 1932, ~~I am directed to~~ I am directed to forward herewith for necessary action ~~to~~ a draft form of an indemnity bond to be executed ~~by~~ in connection with the compromise of the claim against late Mr. Varadhama ~~effected~~ sons in O.S. 28/30-31 on the file of the Dist. Ct. B'lore (Sandal oil Civil Suit).

~~in continuation of this office Memo. No. P. 1182 dated 24-8-32~~

I have etc.

List of enclosures ....

(Sd.) 31/8.

31/8 for Gen. Secy.

Copied by ....

Examined by ....

WD 71—GBPM—40,000—20-7-31.

Tel. Address :— "Sandal Bangalore"

Urgent
1/9/32

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SANDALWOOD OIL FACTORY

Bangalore, 1st Septem: 1932.

No. 1142

Law 159-31-9

IMMEDIATE.

FROM

N. RAMA RAO ESQ., B.A., B.L.,
~~C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.,~~
DIRECTOR, SANDALWOOD OIL FACTORY IN MYSORE,
BANGALORE.

To

The General Secretary to the Government of Mysore,
BANGALORE.

Sir,

With reference to Government Order No.P.845-47/Law 159-31-8 dated 8th August 1932, approving of the settlement out of Court of the case against Mr. M.V. Sanathkumar and others (sons of the late Mr. M. L. Vardhamaniah) defendants 5 to 7 in O.S. No.28 of 30-31 on the file of the District Judge of Bangalore, I have the honour to submit herewith a representation received from Mr. M.V. Sanathkumar wherein he prays that in view of the present circumstances of the family, which render~~ing~~ immediate payment in cash of Rs 6000 impossible, he and his brothers might be permitted to execute a bond for this sum also together with the indemnity bond in respect of jewels and offering as security for both bonds two houses situate in Mysore City and valued by him at about Rs 45,000/- in all.

I have the honour to state that I consider that the prayer of Mr. Sanathkumar might be granted.

I request that very early orders might be communicated to me, as the case stands posted to the 5th September 1932.

I have the honour to be,

Sir,

Your most obedient servant,

N Rama Rau

Director.

Recd from Mr M.C. Lakshmana – personally on 31 8 32

1 9 32

To

The Director of Industries & Commerce,
Government of Mysore,
Bangalore.

Sir,

I beg to acknowledge with grateful thanks receipt of your kind letter No. C.1042, dated the 30th August, 1932, informing that the Government have graciously been pleased to accept Rupees Twenty Thousand from me in full settlement and satisfaction of their claim against me and my minor brothers. I am prepared to execute on behalf of myself and my minor brothers all the necessary documents as desired, in respect of the jewels in the custody of Messrs. Coutts & Company, and request that you may be pleased to send me the relative approved drafts. As for the payment of Rupees Six Thousand in Cash, I beg to submit that as in the present circumstances of the family it is found impossible to pay this heavy sum immediately, I will execute a Bond for this amount also, together with the Bonds relating to the jewels, and request that you may be pleased to accept it in lieu of the cash payment. Regarding security for both the Bonds relative to the jewels and the sum of Rupees Six Thousand, I beg to offer adequate immoveable property situate in Mysore City, of the value of about Rs.45,000/=, viz., one Bungalow in Lakshmipuram valued at a minimum of Rs.30,000/=, and another Bungalow in Chamarajapuram valued similarly at Rs.15,000/=. These two properties are free from encumbrances, and they will cover even at their minimum valuation, more than twice the amount to be secured. I humbly request that you may be pleased to consider my offer favourably and allow me to execute the necessary Bonds accordingly with the above mentioned Securities, for which I will remain ever so highly grateful.

I beg to remain,
Sir,
Your most obedient servant,
M. V. Sanath Kumar

Bangalore,
31st August, 1932.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:--

Government Order No. P. 845-47/Law. 159-31-8, dated 8th Augus 1932, approving under certain conditions mentioned therein of the settlement out of Court of the case against Mr. M.V. Sanathkumar a others, defendants 5 to 7 in the Sandal Oil Civil Suit - O.S. No.2 of 30-31 on the file of the District Judge, Bangalore.

2. Letter No. 1142, dated 1st September 1932, from the Director, Sandalwood Oil Factory in Mysore, Bangalore, forwarding a -- representation of Mr. M.V. Sanathkumar, praying that in view of th present circumstances of the family, which render immediate paymen in cash of Rs. 6,000/- impossible, he and his brothers might be -- permitted to execute a bond for this sum also together with the -- indemnity bond in respect of jewels and offering as security for both bonds two houses situate in Mysore City and valued by him at about Rs. 45,000/- in all.

Order No. P. 1377-79/Law 159-31-10

Bangalore, dated the 2nd September 1932.

Government are pleased to grant the prayer of Mr. M.V. Sanathkumar, subject to the three following conditions:-

(i) That the two houses offered as security should be quite free from encumbrances.

(ii) That the cash payment of Rs. 6,000/- should be made within one year from the date of the bond, and

(iii) That a safe estimate of the value of the two houses should not be less than Rs. 20,000/-.

The Director, Sandalwood Oil Factory, is requested to take necessary action in the matter of getting proper documents executed in consultation with the Government Advocate.

for General Secretary to Government.

p.t.o.

46

To

The Director of Sandalwood Oil Factory in Mysore.
The Government Advocate .
The Comptroller to Government.

TRM.5

ab—47

G.R.S. App. F VI G-2]

SUBJECT ....

Diary No. of letter replied to..........................

General and Revenue Secretariat
( )
the 193

Date of issue 2-9-32

Signed by Mr. N. R. J. Rao

May this be

(i) Printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Sec. Law
File No. 159-31
Serial No. 10

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read-

1) G.O. No: P845-47/Law 159-31- dated 8th August 1932 approving under certain conditions mentio
therein, of the settlement out of Court of the case against Mr. M.V. Sanath Kumar and others, ~~Order Thereon No.~~ defendants 5 to 7 in the Sandal oil civil suit — O.S. 28 of 30-31 on the file of the District Judge, Bangalore, ~~[illegible]~~

2) Letter No: 1142 dated 1st Septr 1932 from the Director, Sandalwo
oil factory in Mysore, Bangalore, forwarding a representation of Mr. M.V. Sanath Kumar, ~~for~~ prayin
that in view of the present

circumstances of the family,
which render immediate
payment in cash of Rs 6000/- impossible,
he and his brothers might be
permitted to execute a bond for
this sum also together with the
indemnity bond in respect of jewe
and offering as security for both
bonds two houses situate in
Mysore city and valued by him
about Rs 45,000/- in all.

order:- No P 1377-79

Government are pleased
to grant the prayer of Mr.
M.V. Sanathkumar, subject
to the three following Conditions:—

(i) That the two houses
offered as security ~~are~~ should be
quite free from encumbrances

ii) That the cash payment of Rs 6000/-
should be made within one
year from the date of the
bond.

and (iii) That a safe estimate
of the value of the two

List of enclosure

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

houses should not be less than Rs 20,000/-

The Director, Sandalwood oil factory, is requested to take necessary action in the matter of getting proper documents executed, in consultation with the Govt Advocate. B.O.

RG
2/9/32
Gen Secy

1) Director S.O.F.
2) Govt Advocate
3) Comptroller to Govt.
4) Copy to Dew. B.

Muls
2/9/32

739/P V972 V1171 / 181 21/9/

Law/159-31-II $\frac{1706}{P}$ 32 / 50

C. RANGANATHA RAO SAHIB, B.A., B.L.
TRADE COMMISSIONER
FOR MYSORE
IN LONDON.

Telephone;
WHITEHALL 8888.

Telegrams:
MYSOF, RAND, LONDON.

GOVERNMENT OF MYSORE

GRAND BUILDINGS,
TRAFALGAR SQUARE,
LONDON, W.C.2.

9th September, 1932.

GENERAL SECRETARY
21 SEP 193
Law

BY AIR MAIL.

The General Secretary to the
Government of H.H. the Maharaja of Mysore,
BANGALORE.

Dear Sir,

K.B. Mavlankar, decd.

Referring to your letter No.P.926-Law.167-31, dated the 11th August, I enclose, for favour of necessary action, copy of a letter of authority that Messrs. Blundell Baker & Co. consider it necessary you should obtain from the late Mr. Vardhamaniah's sons, in order to make it possible for Messrs. Coutts & Co. to hold the jewels on Government account.

Send to Dir for necessary action & return —
MP
20/

I also enclose copy of a draft letter of authority that the Solicitors have prepared for the signature of Mrs. Mavlankar. I shall request Mrs. Mavlankar to sign the letter after receiving from you the letter signed by the sons of the late Mr. Vardhamaniah, in accordance with the draft sent by our Solicitors.

Yours faithfully,

C Ranganatha Rao Sahib

Trade Commissioner for
Mysore in London.

DRAFT. No P 1939 /Law/159-31
51 (Enc 3)

To

The Director of Industries and
Commerce in Mysore Bangalore

Sir,

In continuation of the Government Order No.P.845-47/Law. 159-31-8, dated 8th August 1932 regarding the compromise of Government's claim against the late Mr.Varadhamania's estate in the Sandal Oil Case, I am directed to forward herewith a copy of Trade Commissioner's letter, dated 9th Sept. 1932 together with its enclosures. Letter of authority on the lines suggested may kindly be got executed by Mr. Sanath Kumar son of late Mr. Varadhamania, after consulting the Government Advocate in the matter.

I have, etc.,

No P 1940/- 26.9 Gen. Secty. to Govt.
ISD

Copy to Govt. Adv. for information.

Aga/1

LO P 1939/Law 159-31-12
Enc(3)

52

3rd October.1932.
4

The

The Director of Industries and Commerce in Mysore,
Bangalore.

In continuation of the Government Order No.P.845-47/Law. 159-31-8, dated 8th August 1932 regarding the compromise of Government's claim against the late Mr.Vardhamania's estate in the Sandal Oil Case, I am directed to forward herewith a copy of Trade Commissioner's letter, dated 9th September 1932, together with its enclosures. A letter of authority on the lines suggested may kindly be got executed by Mr.Sanath Kumar. son of late Mr.Vardhamania, after consulting the Government Advocate in the matter.

I have the honor to be,
Sir,
Your most obedient servant,

Sd. R. Ranga Rao.
General Secretary to Government.

Memo No. P 1940/-

Copy of the above is forwarded with compliments to the Government Advocate, Bangalore for information.

By order,

For General Secretary to Government.
ISD

B.E.M.3

39/P V1706/[illegible] 30/9

53 1353/p 32

C. RANGANATHA RAO SAHIB, B.A., B.L.
TRADE COMMISSIONER
FOR MYSORE
IN LONDON.

Telephone ;
WHITEHALL 8888.
Telegrams :
MYSOF, RAND, LONDON.

GOVERNMENT OF MYSORE

GRAND BUILDINGS,
TRAFALGAR SQUARE,
LONDON, W.C.2.

9th September, 1932.

BY AIR MAIL.

GENERAL SECRETARY
3 - OCT. 1932
No. Law

The General Secretary to the
Government of H.H. the Maharaja of Mysore,
BANGALORE.

Action has already been taken on this
8/10

Dear Sir,

K.B. Mavlankar, dec

Referring to your letter No.P.926-Law.167-31, dated the 11th August, I enclose, for favour of necessary action, copy of a letter of authority that Messrs. Blundell Baker & Co. consider it necessary you should obtain from the late Mr. Vardhamaniah's sons, in order to make it possible for Messrs. Coutts & Co. to hold the jewels on Government account.

I also enclose copy of a draft letter of authority that the Solicitors have prepared for the signature of Mrs. Mavlankar. I shall request Mrs. Mavlankar to sign the letter after receiving from you the letter signed by the sons of the late Mr. Vardhamaniah, in accordance with the draft sent by our Solicitors.

Yours faithfully,

C Ranganatha Rao Sahib

Trade Commissioner for
Mysore in London.

15th Sept. 1932.
COPY BY SUBSEQUENT ORDINARY MAIL.

54

To MESSRS. COUTTS & CO.
Bankers,
440, Strand.
London. W.C.2.

W E, the undersigned TARABAI MAVLANKAR and H D RICE Hereby Request and Authorize you to hand to the Trade Commissioner for Mysore in London on behalf of The Government of His Highness the Maharajah of Mysore the packet you hold to our order which was deposited with you in our names on the 28th day of Feb.1929 and this shall be your sufficient authority for so doing.

DATED 193 .

Witness to the Signature of
Mrs. Tarabai Mavlankar.

Witness to the Signature of
H D Rice.

TO MESSTS COUTTS & CO.
Bankers,
440, Strand,
London. W.C.2.

and

TO MRS. TARABAI MAVLANKAR,
of Merkeley Lodge,
36, Woodside,
Wimbledon. S.W.19.
as Executrix of Keshav Balkrishna Mavlankar deceased

and

TO CHARLES WILLIAM BOYCE
of 25/31 Moorgate,
London. E.C.

Chartered Accountant the Receiver appointed by the Court of Chancery in England of the Estate of the said Keshav Balkrishma Mavlankar deceased

and

TO H.D. RICE, ESQ.
Grand Buildings.
Trafalgar Square.
London, W.C.2.

and

TO WHOM ELSE IT MAY CONCERN.

I, the undersigned Mr. M V SANATH KUMARAIYA eldest son of the late Mr. Vardhamaniah on behalf of myself and of my minor Borhters and in pursuance of the terms of an Order No.P 845-47/ Law 159-31-8 dated Bangalore 8 August 1932 hereby request and direct you and each and every of you the above named to hand and cause to be handed to the Trade Commissioner for Mysore in London on behalf of the Government of His Highness the Maharajah of Mysore the packet of jewels containing certain pearl necklaces and other articles forwarded by the late Mr. Vardhamaniah to the late Mr. Mavlankar in or about the year 1928 and which packet of jewels is now deposited with you the said Messrs. Coutts & Coy. Bankers 440 Strand, London. W.C.2. in the joint names of you the said Tarabai Mavlankar and H.D. Rice. And the receipt of the said Trade Commissioner for Mysore in London shall be your full and sufficient discharge for the

Tel. Address :—"Sandal Bangalore"

SANDALWOOD OIL FACTORY

57 2461/32
P 8

Confidential.

Bangalore, 29th October 1932.

Law 159-31-13

No. 1880

FROM

N. RAMA RAO ESQ., B.A., B.L.,
~~C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.,~~

DIRECTOR, SANDALWOOD OIL FACTORY IN MYSORE,
BANGALORE.

RG

31/10/32

To

The Secretary to the Government of Mysor
General ~~Development Department~~, Bangalore.

31/10

Sir,

I have the honour to request kind reference to Government Order No.P.845-47/Law 159-31-8 dated 8th August 1932 approving under certain conditions of the settlement out of Court of the case against Mr. M.V. Sanathkumar and others, defendants 5 to 7 in O.S. No.28 of 30-31 on the file of the District Judge, Bangalore, and Government Order No.P.1377-79/Law 159-31-10 dated 2nd September 1932, granting, subject to certain conditions, the prayer of Mr. M.V. Sanathkumar that in lieu of immediat payment in cash of Rs 6,000/- he and his brothers might be permitted to execute a bond for this sum together with the indemnity bond in respect of the jewels, and offering as security for both bonds two houses situated in Mysore City and valued by him at about Rs 45,000/- in all.

In granting the prayer of Mr. M.V. Sanathkumar, Government have directed

(1) That the houses offered as security should be quite free from encumbrances.

(2) That the cash payment of Rs 6,000/- should be made within one year from the date of the bond and

(3) That a safe estimate of the value of the two houses should not be less than Rs 20,000/-

I have been required to take necessary action for getting documents executed in consultation with the Government Advocate.

As a result of enquiries instituted by me I have ascertained that the two houses offered as security are free from encumbrance The Deputy Commissioner, Mysore District, has valued the houses a Rs 8,000/- each or Rs 16,000/- altogether. This estimated value falls short of the security prescribed by Government in the order of 2nd September 1932 by Rs 4,000/-.

I wrote to Mr. M.V. Sanathkumar enquiring whether he was prepared to offer any further security to cover this shortage of Rs 4,000/-, and I beg to submit herewith the reply received from him. He represents that the valuation received from the Deputy Commissioner is too low, that the properties were purchased for Rs 17,000 and Rs 5,175/- respectively as evidenced by the title deeds, and that they have since appreciated in value owing to improvements and a general increase in the value of house properties. I have seen the houses and I am of opinion that the Deput Commissioner's estimate is certainly on the conservative side. Mr. Sanathkumar further represents that the security is intended more specially for the money bond of Rs 6,000/-, and that so far as the jewels are concerned they are already in our possession an therefore we run no risk at all. He represents that The requirement~~s~~ of indemnity provides for a contingency which is extremely improbable.

I think that there is considerable force in this representation and strongly recommend that the properties now offered might be accepted as sufficient security both for the money bond of Rs 6,000/- and for the indemnity bond in respect of the jewels. I have the forms of document ready for execution and shall take further action so soon as I receive orders of Government on this communication.

I have the honour to be,

Sir,

Your most obedient servant,

N Rama Rao

Director.

To
The Director of Industries & Commerce,
Government of Mysore, Bangalore.

Sir,

With reference to your letter No. 1768 dated the 24th October 1932 regarding the value of the properties offered as security, I beg to submit that the valuation is too low and that it must have been made on merely a general impression without any data. The two properties were purchased for Rs 17,000/- and Rs 5,175 in the years 1919 and 1903 respectively, as will be evidenced by the title deeds which will be produced at the time of executing the documents. Since then, substantia improvements costing several thousands of rupees have been effected, and the buildings are in good state and repairs. Besides, the value of the properties has now increased considera on account of the situation of these bungalows, the development of the city and other general causes. It is obvious in these circumstances that the valuation of Rs 8,000/- each is too low and that the appraisement is without any basis. I have furthe to submit for your kind consideration that the security is intended more for the money bond of Rs 6,000/- than for the bond relating to jewels, as in the latter case, the property is already in your possession and it is only a formal transfer that has to be effected by me. The security for the latter is after all to provide for a contingency which I have assured and convinced you, could never arise. In these circumstances I respectfully submit that the securities offered are adequate for both the bonds and request that you may be pleased to accept them.

I beg to remain,
Sir,
Your most obedient servant,
(Sd). M.V. Sanathkumar.

"Copy"

M Bhavani Shankar

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read:-

Government order No.P.845-47/Law.159-31-8 dated 8th August 1932 approving under certain conditions mentioned therein of the settlement out of Court of the case against Mr.M.V.Sanathkumar and others, defendants 5 to 7 in the Sandal Oil Civil Suit O.S.28/30-31 on the file of the District Judge, Bangalore.

2. Government order No.P.1377-79/Law.159-31-10 dated 2nd September 1932 modifying the conditions imposed in the above ~~order~~ Government order regarding the immediate payment of Rs.6,000/- in cash, by allowing the party one year's time to pay the money on the security of his two houses in Mysore, subject to the condition~~s~~ the a safe estimate of the value of the houses should not be less than Rs.20,000/-.

3. Letter No.1880 dated 29th October 1932 from the Director of Sandal Oil Factory stating that Deputy Commissioner, Mysore has valued both the houses at Rs.16,000/- only but recommending that the security may in spite of this be accepted, as Mr. Sanathkumar is going to execute in addition an indemnity bond.

Order No. P.2534-36/Law 159-31-14

Dated, Bangalore, the 3rd November 1932.

Government are pleased to accept the recommendation of the Director made in the letter read above.

For General Secretary to Govt.
TSD

To
The Director of Sandalwood Oil Factory in Mysore.
The Government Advocate in Mysore.
The Comptroller to Government.

MK.4

G.R.S. App. F VI—G 2]

61

SUBJECT...

....

....

Diary No. of letter replied to ....

Section Law

File No. 159-31

Serial No. 14

General and Revenue Secretariat

( )

the 193 .

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Date of issue 3/11 1932

Signed by Mr N R J Rao

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Read—, G.O. No. L. 845-47 Law 159-31 dated 8th Aug 1932 approving and certain Conditions mentioned the of the settlement out of Court the Case against Mr. M.V. Sanathkumar and others, defend 5 to 7 in the Sandal oil Civil Su

~~Order thereon. No.~~ OS 28/30-31 on the fil of the Dist. Judge, B'lore.

2. G.O. No. L. 1377-79 Law 159-31-10 dated 2nd September 19 modifying the conditions imposed in ~~of Mr.~~ Govt order ~~of a Secu~~ payment of ~~two houses~~ Rs 6000/- in cash, by allowing ~~situate in Mysore valued by him~~ the party one year's time to pay the money on the security of ~~the~~ his two houses in Mysore subject to the

~~of Values Rs 45,000/- in all, Subject~~ Condition that a safe estimate of the Value of the houses should not be less than Rs 20,000/-

~~to several Condition~~

; Letter no. 1220 dated
20th Oct 1932 from the Director
of Sandal oil factory stating
that D.C Mysore has valued
~~that though the D.C.'s valuation~~
both at Rs 16000/- only
of the houses ~~falls short of~~
~~the Security prescribed by Govt~~
~~the houses offered as Security~~
but
~~are free from encumbrance, and~~
recommending that ~~in view of~~ the security
may in spite of this ~~[illegible]~~ be
~~the representation made by Mr~~
accepted, as ~~the party is Mr~~
~~Sanath Kumar, the valuation made~~
Sanath Kumaraiah, is going to
~~is too low etc, the properties~~
execute in addition an indemnity bond
~~has offered might be accepted~~
~~as sufficient Security both~~
~~for the money bond of Rs 6000/-~~
~~and for the indemnity bond~~
~~in respect of the jewel.~~

No. 2536-36

order:
Govt are pleased to accept the
~~The recommendation of the Dir. S.O.F~~ ~~in the~~ made in the letter read above,
recommendation of the Director
~~is approved. He is requested to~~
~~take further action in the matter~~
~~of getting the documents executed in~~
~~consultation with the Govt. A.~~

List of Enclosure.

Copied by

Examined by

To,
The Dir. of S.O.F.
Govt. Advocate
Comptroller.

WD 73—GBPM—20,000—10-8-31.

Genl see?

3/11

K.D
3/11

Tel. Address :—"Sandal Bangalore"

3120/32
P
63

SANDALWOOD OIL FACTORY

Bangalore, ~~29th Novr.~~ 2nd Decr. *193*2.

No. 2302

FROM N. RAMA RAO ESQ., B.A., B.L.,
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
DIRECTOR, SANDALWOOD OIL FACTORY IN MYSORE,
BANGALORE.

DEVELOPMENT SECRETARIAT
3 DEC

To
Law section

The Secretary to the Government of Mysore,
Development Department, Bangalore.

Sir,

I have the honour to forward herewith for the information of Government, copy of my letter addressed to the Trade Commissioner enclosing the letter of Authority received from Mr. M.V. SanathKumar for his needful action.

I have the honour to be,
Sir,
Your most obedient servant,

N Rama Rao

Director.

Submitted for perusal.
JSD
5/12.

G 6/12

Sec B

GOVERNMENT OF MYSORE

ADDRESS FOR TELEGRAMS:
SANDAL
BANGALORE
CODE USED: "BENTLEY'S"

SANDALWOOD OIL FACTORY

Bangalore 29th Nov: 1932.

No. 2297
Enc.

The Trade Commissioner for Mysore in London,
Grand Buildings,
Trafalgar Square,
LONDON, W.C.2.

Dear Sir,

With reference to your letter dated 9th September 1932, I enclose herewith a letter of Authority in original received from Mr.M.V. Sanathkumar authorising the respective parties to hand over to you on behalf of the Government of Mysore the packet of jewels now in the custody of Messrs.Coutts & Co. This was signed before the City Magistrate, Mysore. I hope this will ~~help~~ enable you to take possession of the jewels.

Yours faithfully,

Director.

TELEGRAMS: "SANDAL," BANGALORE

MR. N. RAMA RAO, B.A., B.L.
DIRECTOR OF SANDALWOOD OIL FACTORY IN MYSORE

65 68/P 832

Bangalore, dated the 29th July 1932.

D. O. No. 558

RJ 1/8/32

GENERAL SECRETARY
1-AUG 1932
No. Lad

Dear Sir,

With reference to your unofficial memo No.P.574 dated 27th July 1932, I write to state that the Trade Commissioner for Mysore in London has been requested by cable to report the present value of the jewels. So far no reply has been received. In the meantime, I have received a letter from Mr. M.V. Sanath-Kumar offering to give an indemnity. Some papers have also been traced in support of late Mr. M.L. Vardhamaniah's ownership of the jewels which will be sent with the file. I am awaiting Mavlankar's statement ~~as~~ requested in my letter No. 482 dated 26th July 1932.*) The file with the complete reply may be expected within ~~ten~~ three days.

Yours sincerely,

N. Rama Rao

R. Ranga Rao Esq., B.A., B.L.,
General Secretary to Government,
Bangalore.

*) I have since received yr reply - and shall be sending the file back today or tomorrow

The file has been received + submitted to the First M.

MP
1/8/32

This will be kept in the main file when it is received. MC 6/8

66 5438 p 832

Tel. Address :—"Sandal Bangalore"

SANDALWOOD OIL FACTORY

No. 4235

FROM

N. RAMA RAO ESQ., B.A., B.L.,
~~C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.~~
DIRECTOR, SANDALWOOD OIL FACTORY IN MYSORE,
BANGALORE.

Bangalore, 11th April 1933.

GENERAL SECRETARY
13 APR. 1933
No Law

To

The General Secretary to the Government of Mysore,
Bangalore.

13/4/33

13/4

Sir,

With reference to Government Order No.P.2534-36/Law 159-31-14 dated 23rd November 1932, I have the honour to forward herewith copies of Indemnity Bond and the Mortgage Deed executed by Mr. M.V. Sanathkumar, son of late Mr. M.L. Vardamaniah. The originals of these have been forwarded to the Comptroller for safe custody. In this connection, I might add for the information of Government that these were got approved by the Government Advocate also. I have also requested him to report the compromise to the Court.

I have the honour to be,
Sir,
Your most obedient servant

N Rama Rao

Director.

TR.

Subd. for perusal.

The connected file is put up with D. no. 5379 relating to the compromise in the Sandal oil civil suit.

TSD
19/4

This may be placed with the file after its return

19/4

To

The Director of Sandalwood Oil Factories, for and on behalf of the Government of His Highness the Maharaja of Mysore, Bangalore.

WHEREAS the Government of His Highness the Maharaja of Mysore has filed a suit among others against the Mortgagors in O.S. No.28 of 1930-31 on the file of the District Judge, Bangalore, for the recovery of R^s 8,39,793-6-1: and whereas we, M.V. Sanathkumariah, Lakshmipathiah and Veerendrakamariah, the sons of the late Mr. M.L. Vardhamaniah have been impleaded defendants, 5, 6 and 7 respectively in the aforesaid suit.

AND WHEREAS the Plaintiffs, the Government of His Highness the Maharaja of Mysore, have graciously agreed to and accepted our prayer to receive a sum of R^s 20,000 (twenty thousand) in full satisfaction and consideration of their claim against the estate of our father the late Mr. M.L. Vardhamaniah, in our hands in the aforesaid suit, and WHEREAS we have separately executed a deed of mortgage for R^s 6000 (Six thousand only) to be paid as per terms of compromise in cash to the Government of His Highness the Maharaja of Mysore: and ~~ts~~ whereas we have further agreed to surrender, assign and transfer our claims in the jewels deposited with Messrs. Coutts & Co. 440 Strand, London, in the joint names of Mrs. Tarabai Mavlankar and Mr. H.D. Rice.

I, M.V. Sanathkumaniah for myself and on behalf of my younger brothers abovenamed Lakshmipathiah and Veerendrakamaniah, minors, as their guardian and manager of the joint Hindu family do hereby agree and undertake to save the Government of His Highness the Maharaja of Mysore, their successors and assigns, harmless and indemnified from and against all claims and demands in respect of the said jewels and from and against all losses, damages, costs, charges and expenses which they may sustain, incur or be liable to in respect thereof, in the event of the said jewels being in any way successfully claimed by another party or parties at any future time or in consequence of my failure to resist and oppose such claims from or by or at the instance of other party or parties either in India or Europe or any other part of the world.

And I further agree on behalf of myself and my younger brothers to bear, indemnify and be answerable to pay the Government of His Highness the Maharaja of Mysore a sum of Rs 14,000 (Fourteen thousand only) or any part thereof in the event of the claims of any other party or parties proving successful to the detriment of the sole rights of ownership possessed by us in the said jewels.

And I further agree that I hereby create a charge and mortgage to the extent of Rs 14,000 (Fourteen thousand only) on the property described in the schedule below, as security for the loss, damage etc., which the Government might sustain in the event of my failure to indemnify and answer as aforesaid. In witness whereof the mortgagors abovenamed have hereunto set their hands this the sixth day of march one thousand nine hundred and thirtythree in the presence of the following witnesses - Schedule. (1) One bungalow in Laxmipuram Chamaraja Mohalla, Mysore City, bearing Municipal No. 939, measuring 150 X 168 yards, bounded on the East by Conservancy Lane, West by High Road, North by Doctor Rangachar's bungalow and South by Mr. Nanjundaradhya's bungalow. (2) One bungalow in Chamarajapuram Chamaraja Mohalla, Mysore City, bearing Municipal No. 1020, measuring 122 X 165 yards, bounded on the East by vacant site belonging to us West by Mr. R. Ramiah's bungalow, South by High Road, and North by Conservancy Lane.

(Sd). M.V. SANATHKUMAR
Guardian of Lakshmipathiah and
Veerendrakamaniah (minors).

Witnesses:—

1. K. Ramaswami,
Public Prosecutor
Mysore

2. M.C. Laxshmipathaiah.
Doctor, Mysore

Copy

This indenture is made the sixth day of March One thousand nine hundred and thirty three between (1) M.V. Sanathkumaniah (2) Lakshmipathia (3) Veerendra Kumaniah, sons of the late Mr. M.L. Vardhamaniah, (2) and (3) Minors by their guardian and Manager of their joint family. M.V. Sanathkumaniah above mentioned, hereinafter called the Mortgagors which expression shall include their heirs, representatives, executors and assigns, and the Government of His Highness the Maharaja of Mysore, represented by the Director of the Sandalwood Oil Factories in Mysore, hereinafter called the Government.

Whereas the Government has filed a suit among others against the Mortgagors in O.S. 28 of 1930-31 on the file of the District Judge of Bangalore for recovery of over Rupees Eight Lakhs: whereas the mortgagors petitioned to the Government for withdrawing the claim against them on receiving a nominal sum from them in view of their present embarassed financial position and other circumstances: and whereas the Government was pleased to grant the prayer of the Mortgagors on condition of their paying Rs 20,000/- (Rupees twenty Thousand) to Government, and further agreed at the request of the mortgagors to receive 6000/- (Rupees six thousand) in cash and for the balance of Rs 14,000/- (Rupees fourteen thousand) accept the jewels which belonged to the late Mr. M.L. Vardhamaniah, the father of the mortgagors and which were left by him with the late Mr. K.B. Mavlankar and in respect of which the mortgagors have executed an Indemnity and Mortgage Bond of even date in favour of Government, and whereas on the representation of the Mortgagors the Government were pleased to grant a period of one year for the payment of Rs 6000/- (Rupees six thousand) above referred to under terms and conditions hereinafter appearing.

Now this indenture witnesseth as follows:-

(1) That in consideration of the premises and of the said sum of Rupees Six Thousand only which the Government is entitled to get from the Mortgagors and the liability to pay which the Mortgagors hereby acknowledge

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the mortgagors hereby agree to pay to the Government the said sum of Rupees six thousand only, before the expiry of a year from the date hereof.

(2) As security for the repayment of the said sum of Rupees Six thousand only, the Mortgagors as beneficial owners of the properties more particularly described in the schedule hereunder written, hereby mortgage in favour of the Government all and singular the said propertie together with all rights of way, wood and water, all rights and easements appertaining thereto and known and reputed to appertain theret of the aggregate estimate market value of about Rupees Forty five thousand (Rs 45000/-).

(3) The Mortgagors hereby covenant with the Government that they the mortgagors will at all times during the continuance of this securit keep the buildings comprised herein in good and substantial repair and condition and pay all existing on future Government assessment, cesses, municipal taxes including water tax, electrical lighting charges and other outgoings of any kind or description whatsoever due on or in respect of the properties more particularly described in the schedule hereunder written.

(4) The Mortgagors hereby further covenant with the Government that the mortgagors now have good right to mortgage the several propertie hereby mortgaged to the Government in manner aforesaid and that the said properties have not so far been encumbered in any manner whatsoever except by way of a mortgage in favour of Government by an Indemnity Bond of even date. The Government shall be entitled to enforce both or either of the securities at their discretion.

(5) In the event of the failure of the mortgagors to pay in full to the Government the aforesaid sum of Rupees six thousand only, or in the event of the mortgagors committing a breach of any of the convenants or terms detailed in this deed of mortgage, it shall be lawful for the Government at any time, without any further consent on the part of the

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mortgagors and without having to seek to remedy by way of suit or otherwise through a Court of Law, to enter into or upon the properties more particularly described in the schedule hereunder written, to take possession of the same and to sell the same either together or in lots, either by public auction or by private contract for such price or prices as may be reasonably secured at the time and upon such terms and conditions as the Government may think fit and to appropriate all such realisations towards the expenses of such sale and then towards the sum of Rupees Six thousand for securing which these presents have been executed and the mortgagors shall be bound absolutely by any such sale or disposition that may be made by the Government in this behalf. The mortgagors shall pay the balance if any due to Government.

(6) The Government shall also be entitled to recover the money hereby secured as an arrear of land revenue under section 193 of the Mysore Land Revenue Code.

(7) It is also hereby agreed that during such time as the whole of the amount of Rupees six thousand or any fraction thereof may remain undischarged, the mortgagors shall not be entitled to create any fresh mortgage either with or without possession or charge or in respect of the properties mortgaged hereunder without the consent in writing of Government.

IN WITNESS WHEREOF the mortgagors abovenamed have hereunto set their hands the day and year first above written in the presence of the following witnesses. Schedule. (1) One bungalow in Laximpuram, Chamaraja Mohalla, Mysore City, bearing Municipal No. 939, measuring 150 X 168 yards bounded on the east by Conservancy Lane, West by High Road, North by Dr. Rangachar's bungalow and South by Mr. Chanjendaradhya's bungalow. (2) One bungalow in Charmarajenharam, Chamaraja Mohalla, Mysore City, bearing Municipal No. 1020, measuring 122 X 165 yards, bounded on the East by the vacant site belonging to us, West by Mr. R. Ramaiah's bungalow, South by High Road and North by Conservancy Lane.

1. Sd. K. Ramaswami, Public Prosecutor, Mysore.
2. Sd. M. C. Lakshmipathaiah

Sd. M. V. Sanathkumar.
Sd. M. V. Sanathkumar.
Guardian of Lakshmipathaiah and